THE ACTS
DONE AND PAST
IN THE FIRST SESSION
OF THE THIRD
PARLIAMENT
OF OUR
SOVERAIGNE LORD
CHARLES,
By the grace of GOD, King of
Scotland, *England*, *France*, and *Ireland*,
Defender of the Faith.

Holden at EDINBURGH, and beginning the fourth of June 1644. and ending the 29. day of July the same year 1644. according to the severall dates *respective* of the same Acts prefixed thereto.

EDINBURGH,
Printed by *Evan Tyler*, Printer to the Kings most excellent MAJESTIE. *Anno* 1644.
CUM PRIVILEGIO.

EDINBURGH

THE ACTS
DONE AND PAST IN THE first Seſsion of the third PARLIAMENT:

Holden at *Edinburgh*, and begun the 4. of June, 1644. and ending the 29. of July the ſame year.

ACT I.

Act anent the Election of Iohn *Earle of Lauderdale to be Preſident in this Parliament.*

4. Junii, 1644.

Orſameikle as the Eſtates of Parliament preſently conveened this 4. of June 1644. years, which is the day appointed by the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtate, in *Anno* 1641. years, to be the day of meeting and conveening of the next Trienniall Parliament thereafter, Taking to their conſideration, that the Kings Majeſtie and Eſtates of Parliament, by the 50. Act of the laſt Parliament, Intituled, *Act anent the election of the Preſident of Parliament*, Hes ordained, that in all ſucceeding Parliaments, after taking of the Oath of Parliament by all the Members thereof, they ſhould make choiſe of the Lord Chancellour, or any other, the King or his Commiſſioner and Eſtates of Parliament ſhould appoint to be Preſident of Parliament, who ſhould remain and continue Preſident alſwell in that Parliament wherein he is choſen, as in the next Parliament ſubſequent, untill the

ſaid Oath be taken, and another choſen to be Preſident in his roome. According whereunto, *John* Lord Balmerino Preſident of the laſt Parliament having miniſtred the Oath of Parliament to the whole Members thereof preſent, and repreſented to them, and cauſed read the ſaid 50. Act. The ſaids Eſtates of Parliament did unanimouſly after voycing, elect and chooſe *John* Earl of Lauderdale to be Preſident of this Parliament, conforme to the ſaid 50. Act of the laſt Parliament, made anent election of the Preſident of Parliament.

ACT II.

Act anent theſe who are or ſhall be found Fugitives and Run-awayes from their Companies and Colours.

14. *June*, 1644.

THE Eſtates of Parliament preſently conveened by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in *Anno* 1641. Taking to their conſideration the great prejudice and danger which may ariſe to the Armies raiſed and to be raiſed, for defence of Religion, Liberties, and Kingdomes, by reaſon of ſome, who having gone or ſhall go out with the ſaids Armies, have run away, or may hereafter run away from their Companies and Colours. For remedy whereof, It is ſtatute and ordained, that all thoſe both of Horſe and Foot, who ſhall run away from their Companies and Colours, without a Paſſe, ſhall be apprehended by the Colonels and Committees of Warre within ilk Shire and Diviſion, Captains of Parochines, or Magiſtrates within Burgh where they dwell, and others whom they ſhall appoint for that effect, where-ever they can be found, and ſent again with all diligence to their Companie and Colours, upon the publick charge, which is to be advanced by the Collectors of the Exciſe, and allowed in their compts; There to be puniſhed conform to the Articles of Military Diſcipline: Or elſe that the Committees of Warre, and Colonels within ilk Shire, and Magiſtrates within Burgh (if they think it expedient for the good of the Armies, and terrifying others from running away in like manner) decimate the ſaids Fugitives, both Horſe and Foot, being apprehended, and cauſe hang the tenth man of them, and eſcheat their goods for the uſe of the Publick: And if there be but one or more of them within teune, to cauſe hang one of them, albeit there be but one, and cauſe ſend the reſt of the ſaids Fugitives, Horſe and Foot, to the Committee of Eſtates at Edinburgh, upon the expences of the Publick, as is aforeſaid, to be ſent back to their Colours, in manner as the ſaid Committee ſhall think fit. And becauſe the reſetting and entertaining of the ſaids Fugitives, imbolds and incourages them

to keep themselves still lurking, and incourages others by their example to run away; Therefore it is statute and ordained, that whosoever shall keep, reset, or entertain the saids Fugitives, Horse or Foot, or shall have knowledge of their being within their bounds, & shall not delate & deliver them to the said Committee, Colonels of Shires, Captains of Parochines, or Magistrates within Burgh, with all possible diligence; then the saids Resetters or Concealers, shall be repute and estimate as dis-affected, and Enemies to Religion, their Countrey, and the Cause presently in hand; and shall be accordingly punished by the Committee of Estates, or Committees and Colonels of War where they dwell, or Magistrates within Burgh, and shall be lyable in the summe of five hundreth Merks for every Horseman, and one hundreth pounds for every Footman they shall be found to have reset in manner foresaid: The one half whereof shall be imployed for the use of the Publick, and the other half of the samine shall pertain to whatsoever Persons that shall delate the foresaids Persons, Resetters, and Entertainers, and who shall qualifie the foresaid Reset and Entertainment; To whom the saids Estates promiseth hereby to grant and dispone, and by thir presents grants and dispones the present right of the same. And if the Committees and Colonels of Warre within each Division, or any Person being thereupon, Captains of Parochines, or Magistrates within Burgh, shall be negligent in taking order with the foresaids Fugitives and Run-awayes from their Colours, and with their Resetters and Entertainers, or shall delay and be deficient in putting of this Act to execution, after the form and tenor thereof: ilk Person of the saids Committees of War, Colonels, and Captains of Parochines, and Magistrates within Burgh, shall pay the sum of five hundreth Merks, for ilk failzie, *toties quoties*; the one half of which Fyne shall pertain to the Publick, and the other half thereof to the Persons delaters. And also it is statute and ordained, that if it come to the knowledge of any Person, who have or shall happen hereafter to out-reach Souldiers on Horse or Foot, that these out-reached by them are disbanded and fled from their Colours, the saids out-putters of them shall be obliged to search, seek, and apprehend the saids Fugitives through their whole Bounds and Lands, within whatsoever Paroch or Burgh the saids out-putters dwels, and shall either apprehend and appresent them to the Committee and Colonels of the Shire, Captains of Parochines, or Magistrates within Burgh, that order may be taken with them, conform to the tenour of this present Act. Or else if they be without their own proper Lands, to require the Heritor, Bailie, or Officer who hath charge of their affairs, to produce the Fugitives delated by them to be within their Bounds, before the Committee of the Shire: Or otherwise to assist the saids out-putters, in searching and apprehending the saids Fugitives, as they will bee answerable within the bounds foresaids. And if the saids out-putters and others, shall be negligent to do their exact diligence therein, the saids out-putters shall be obliged to make up their number, by out-putting of men in their places, sufficiently provided in Armes, and others necessaries,

upon

upon the ſaids out-putters own expences, and the Fugitives themſelves to be ſearched, apprehended, and puniſhed, as ſaid is. And it is ſtatute and ordained alſo, that the Captains of Parochines, who ſhall apprehend the ſaids Fugitives, or Magiſtrates within Burgh, ſhall produce the ſaids Fugitives before the Committee of Warre within their bounds, at the next meeting of the ſaid Committee, under the pains to be puniſhed and cenſured as Reſetters. And it is ordained likewiſe, That the Magiſtrates of Burghs, within whoſe Bounds the ſaids Fugitives ſhall be apprehended, ſhall receive the ſaids Fugitives from the ſaid Committee, to be keeped by them in firmance, upon the charge of the Publick, to be advanced forth of the Exciſe, and with all diligence to be ſent to the Committee of Eſtates at Edinburgh. Likeas it is ſtatute and ordained, that this preſent Act ſhall bee extended againſt all Reſetters, Fugitives, Committees of Warre, Colonels, Captains, and Magiſtrates of Burgh, and others foreſaids, for any reſet or neglect of the diſcharge of their duty *reſpectivè* above-written, in any time coming, after the publication of thir preſents, as well for Run-awayes and Fugitives, who have run away in any time by-gone, from any of the Armies levyed heretofore within this Kingdom for this common Cauſe, as for theſe who ſhall be levyed and run away in time coming. And ordaines this preſent Act to bee printed, and a Copie thereof to be ſent to every Paroch Kirk, and every Committee of Warre, and every Burgh within ilk Diviſion within this Kingdom, and that it be read at ilk Paroch Kirk, upon the firſt Sunday after the receipt hereof, and thereafter fixt on the Kirk door, or wall, to be read by every Perſon, that none pretend ignorance. And farther, leſt the Fugitives that ſhall run away, as ſaid is, might be ſuffered to lurk and eſcape unpuniſhed: It is ſtatute and ordained, That no ſtranger ſhall be received within any Pariſh or Shire, who ſhall not have a Paſſe from ſome Colonell, or a Teſtimoniall from the Miniſter and Seſſion from whence they come, and who ſhall reſet any ſuch Perſon without Paſſe or Teſtimoniall, and ſhall not delate them, ſhall incurre the puniſhment of Reſetters of Fugitives. And Ordains the Committee to be appointed by the Eſtates, to ſee the whole Heads and Articles of the Act foreſaid put to a full execution.

Act

ACT III.

Act for putting forth of Horse and Foot, both for By-gones, and in Time-coming, and anent those who are deficient thereintill.

25. *June* 1644.

THe Estates of Parliament presently conveened, by vertue of the last Act of the last Parliament holden by his Majestie and three Estates, in *Anno* 1641. Taking to consideration the many Acts of Convention and Committee of Estates, Ordaining all the Shires and Divisions of this Kingdome to have put forth their Horse and Foot for their first and second Leavies, according to several proportions laid upon them, for the Defence and Preservation of Religion, Crown, and Kingdome: Notwithstanding whereof, there is such deficiencie of the number of Horse and Foot due to have been put out by the most part, if not all the Shires of the Kingdome, that the March of the Army have been and is daily retarded, the Publike heavily prejudged, and the severall Regiments is much short of that strength they were expected to have been.

Therefore the Estates of Parliament, for advancement of the present Service, and preventing the like remissenesse in time coming, Have thought fit to Fine, and by thir presents Fines every Heritor within the Kingdome that should have put out Horse in the first and second Leavies, and was deficient therein, in the sum of Four hundred Merks for ilk Horseman, and One hundred Pounds for ilk Footman. And for the better payment of the saids Fines, Findes that the estates of the deficients, either reall or personall, shall be lyable aye and while the same be paid. Of the which sum of Four hundred Merks of Fine for ilk Horseman, there is allowed to the Committee of the Shire, who shall bee alwayes obliged for the out-reiking of the Horse in time-coming, the sum of Eightscore Pounds in the first and readiest of the said Fine, & the sum of fourty pounds for the out-reiking of ilk Footman: And the remanent of the Fines to be divided equally, the one half to the Publike, and the other half to the Committee of the Shire or Division for incident charges. And for the better regulating of the putting forth Horse and Foot in time-coming of such that will not fall to put forth one whole Horse or Footman: It is declared, that the greatest Rent of these to be joyned for making up one Horse, shall provide the Horse, and the rest that joyneth to contribute according to Eightscore Pounds for ilk Horseman; and who have the maniest men to provide the Footman: and the remnant that joynes to contribute with him, according to Fourty Pounds for ilk Footman, for their put-reik of Armes, and whole Furniture belonging to them: and

where

where the Rent or number of men are equal, amongſt the joyners to caſt lots.

And it is ſpecially provided, where any Colonels, Root-maſters, or Captains, for their affection to the publique Service, have out-reiked Horſe or Foot by their own proper means and expences, ſhal have repayment of the ſaids deficients *reſpective*, off the ſum of Two hundred Merks for ilk Horſeman, and Fourty Pounds for ilk Footman. The ſaids Colonels, Root-maſters, or Captains, alwayes inſtructing to the Committe of the Shire or Diviſion, the number of Horſe and Foot out-reiket by them upon their own proper charges. And the ſaids Two Hundred Merks to be paid by the ſaids Deficients to the Colonels and others upon their inſtructing of the ſame, within the ſpace of fifteen dayes thereafter, under the pain of doubling of the ſaid ſum of Two hundred Merks. And recommends the care of the out-reiking of the ſaids Horſe, and up-lifting of the ſaids Fines, to the Committee of War within ilk Shire or Diviſion, as they will be anſwerable to the Eſtates, and to report the number of the Deficients, and their diligence herein, before the firſt of Auguſt. And this preſent Act no-wayes to be extended againſt thoſe Shires be-North *Dee*, who in regard of the Troubles, have been impeded in their out-reik: providing they out-reik the ſame before the fifteenth of July next to come.

ACT IV.

Act againſt theſe who takes up Armes, and holds houſes againſt the Kingdome and Eſtates of the Countrey.

29. June 1644.

FOrſameikle as the Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in *Anno* 1641. Taking to their conſideration the *Quere* under-written, motioned, and proponed in Parliament, *viz.* Whether a dittay founded upon the crimes of taking up Armes againſt the Kingdome and Eſtates of the Countrey, holding of Houſes againſt the ſame, taking and impriſoning the Kings free Lieges, aſſiſting or taking Armes with theſe who has invaded the Countrey, ſhall be relivant to inferre puniſhment or not, and what the puniſhment ſhall be? The ſaids Eſtates of Parliament findes a dittay founded upon the crime of taking up Armes againſt the Kingdome, and Eſtates of the Countrey, relivant to inferre the puniſhment and pains of Treaſon, and that the perſons guilty thereof are puniſhable, by forfeiture of life, lands, and goods, or any other cenſure the Parliament ſhall pleaſe to inflict. And alſo the ſaids Eſtates findes a dittay founded upon the crime of holding of Houſes

Houſes againſt the Kingdome and eſtates of the Countrey, the holders being required by warrant of the Parliament, Convention of Eſtates, or any of their Committees *reſpective*, or Secret Councell, having warrant from the Parliament or Convention of Eſtates for that effect, to render the ſame relivant to inferre the puniſhment and pains of Treaſon, and that the parties guilty thereof are puniſhable by forfeiture of life, lands, and goods, or any other cenſure the Parliament ſhall pleaſe to inflict.

ACT V.

Act anent the Ratification of the calling of the Convention, Ratification of the League and Covenant, Articles of Treatie betwixt the Kingdomes of Scotland and England, and remanent Acts of the Convention of Eſtates, and Committee thereof.

15. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in *Anno* 1641. Conſidering that the Lords of his Majeſties Privie Councel, and Commiſſioners for conſerving the Articles of the Treatie, having, according to their intereſts and truſt committed to them by his Majeſtie and Eſtates of Parliament, uſed all meanes, by Supplications, Remonſtrances, and ſending of Commiſſioners, for ſecuring the peace of this Kingdome, and removing the unhappy diſtractions betwixt his Majeſtie and his ſubjects in England, in ſuch a way as might ſerve moſt for his Majeſties honour, and good of both Kingdomes, and their humble and dutifull endeavours for ſo good ends having proven uneffectuall, and their offer of mediation and interceſſion being refuſed by his Majeſtie, and thereby finding the weight and difficultie of affaires, and the charge lying on them to be greater then they could beare, Did therefore in the moneth of May 1643. meet together with the Commiſſioners for the Common Burdens, that by joynt advice ſome reſolution might be tane therein, and in reſpect of the danger imminent to the true Proteſtant Religion, his Majeſties honour, and peace of thir Kingdomes, by the multitude of Papiſts and their Adherents, in Armes in England and Ireland, and of many other publick and important affaires, which could not admit delay, and did require the advice of the repreſentative body of the Kingdome, Appointed and cauſed indict a meeting of the Convention of Eſtates (his Majeſtie having

having formerly refuſed their humble deſires for a Parliament) to be upon the 22. of June following: Which Diet being frequently kept by the Noblemen, Commiſſioners of Shires and Burrowes, and they finding theſe dangers againſt this Kirk and State ſtill increaſing, Reſolved, after ſerious deliberation, and advice of the Generall Aſſembly, and joynt concurrence of the Commiſſioners authorized by the Parliament of England, That one of the chiefeſt remedies for preventing of theſe and the like dangers, for preſervation of Religion and both Kingdomes from ruine and deſtruction, and for procuring of peace, that both Kingdomes ſhould for thoſe ends enter into Covenant, which was accordingly drawne up, and chearfully embraced and allowed: Whereat the oppoſite and malignant party more enraging then before, did gather their ſtrength and power againſt the ſame, ſo as the Eſtates were neceſsitate to put this Kingdome into a poſture of defence, and for this purpoſe appointed Colonels and Committees of Warre in the ſeverall Shires for exerciſing the forces therein, and putting them in readineſſe for mutuall defence, in this cauſe of Religion, His Majeſties Honour, and Peace of his Kingdomes, as they ſhould be required by the Eſtates, or their Committee, who were entruſted with the charge of the publicke affaires of the Kingdome during the not ſitting of the Eſtates. And at laſt a Treatie was agreed unto by both Kingdomes concerning the ſaid Covenant, and aſsiſtance craved from this Kingdome by the Kingdome of England in purſuance of the ends expreſt therein; and another Treatie for ſettling a Garriſon in, and ſecuring of the Town of Berwick, as the ſame more fully proports, conforme whereunto orders were iſſued forth, and an Armie raiſed out of the Shires and Burrowes of this Kingdome, and ſent into England. And the Eſtates finding themſelves bound in dutie and conſcience to provide all means for ſupply of that Army, and relieving the Scots Army in Ireland, Did reſolve that the ſame ſhould be by way of Exciſe, as the moſt conſtant, juſt, and equall way, leaſt prejudiciall to the Kingdome, and moſt beneficiall to the cauſe in hand, and ordained certaine rates and ſummes to be raiſed off the Commodities contained in the Act made thereanent, and Schedule thereunto annexed: And in reſpect of the neceſſitie of preſent money, and that the Exciſe could not be gotten timouſly in for ſupply of the Army, Did appoint that all perſons within this Kingdome who had moneys, or by their credit could raiſe and advance the ſame, ſhould lend ſuch ſummes to the Eſtates, or their Committee, as they ſhould be required, upon aſſurance of repayment from the publick, in manner contained in the Acts made thereanent, and gave order to their Committee to ſee them put in execution, who have accordingly beene carefull in diſcharge of that truſt committed to them. And the Eſtates being ſtill deſirous to uſe all good meanes, that without the effuſion of more bloud there may be ſuch a bleſſed Pacification betwixt his Majeſtie and his Subjects, as might tend to the good of Religion, his Majeſties true honour and ſafety, and happineſſe of his People, Did therefore give Commiſsion to *John* Earle of Lowdoun Lord Chancellour,

Chancellour, Lord *Maitland*, Lord Waniſtoun, and Maſter *Robert Barclay*, to repaire to England, and endeavour the effectuating of theſe ends contained in the Covenant and Treaties conforme to their inſtructions: And in this interim, the Eſtates being informed of the traiterous attempts of ſome unnatutall Countreymen, who in an hoſtile manner invaded this Kingdome toward the South, and had their Complices in armes in the North, all for one deſigne, of ſubverting the Religion, Lawes and Liberties of the Kingdome, were neceſsitate, for ſuppreſsing thereof, to direct an Army to the South under the command of the Earle of Calender, and a Committee of the Eſtates to be aſsiſting to them; another Armie to the North under the command of the Marqueſſe of Argyle, and a Committee to goe along with him.

And the ſaids Eſtates, Having taken the proceedings above-written to their conſideration, do finde and declare, That the Lords of Councell, and Conſervers of peace, did behave themſelves as faithfull Counſellours, loyall Subjects, and good Patriots, in tendring their humble endeavours for removing the diſtractions betwixt his Majeſtie and his Subjects, and in calling the Commiſſioners for the Common Burdens, and by joynt advice appointing the late meeting of Convention, wherein they have approven themſelves anſwerable to the dutie of their places, and that truſt committed to them, and therefore ratifies and approves their whole proceedings therein, and declares, the ſaid Convention was lawfully called, and als full and free in it ſelfe, conſiſting of all the members thereof, as any Convention hath been at any time by-gone; And ratifies and approves the ſeverall Acts made by them, or their Committee, for enjoyning the Covenant, appointing of Committees, putting the Kingdome in a Poſture of defence, allowing the Treaties, raiſing of Armies, and ſending them into England, eſtabliſhing the Exciſe, and borrowing of Money, and all other Acts, Decreets, Sentences, Precepts, Warrants, Commiſſions, Inſtructions, Declarations, and other Deeds done by them.

And alſo, The ſaids Eſtates of Parliament (but prejudice of the premiſſes, and of the generall ratification above-mentioned) ratifies, approves, and confirms the foreſaid mutuall League and Covenant, concerning the Reformation and Defence of Religion, the Honour and happineſſe of the King, and the Peace and ſafety of the three Kingdomes of Scotland, England, and Ireland; Together with the Acts of the Kirk and Eſtate authorizing the ſame League and Covenant; Together alſo with the foreſaids Articles of Treatie agreed upon betwixt the ſaids Commiſſioners of the Convention of Eſtates of Scotland, and the Commiſsioners of both Houſes of the Parliament of England, concerning the ſaid ſolemne League and Covenant, and the ſettling of the Towne and Garriſon of Berwick; With the foreſaids Acts eſtabliſhing the Exciſe, and borrowing of Moneyes *reſpective* above-mentioned. And the ſaids Eſtates ordaines the ſame Acts, with the League and Covenant above-ſpecified, Acts authorizing the ſame, and the Articles of Treatie foreſaid, to have the full force and

ſtrength of perfect Lawes and Acts of Parliament, and to be obſerved by all his Majeſties Leiges, conforme to the tenors thereof *reſpective*. Of the which League and Covenant, Acts authorizing the ſame, Treaties above-written, and Acts for eſtabliſhing the Exciſe, and for borrowing of Money, the tenors follow.

A SOLEMNE LEAGUE AND COVENANT, *For* REFORMATION, *and Defence of Religion, The Honor and Happineſſe of the King, and the Peace and Safety of the three Kingdomes of* Scotland, England, *and* Ireland.

WEE Noblemen, Barons, Knights, Gentlemen, Citizens, Burgeſſes, Miniſters of the Goſpel, and Commons of all ſorts in the Kingdomes of Scotland, England and Ireland, by the providence of GOD living under one King, and being of one Reformed Religion, Having before our eyes the Glory of GOD, and the advancement of the Kingdome of our Lord and Saviour Jeſus Chriſt, the Honour and Happineſſe of the Kings Majeſtie and his Poſterity, and the true publick Liberty, Safety, and Peace of the Kingdomes, wherein every ones private condition is included; And calling to minde the treacherous and bloudy plots, conſpiracies, attempts, and practices of the enemies of GOD, againſt the true Religion, and Profeſſours thereof in all places, eſpecially in theſe three Kingdomes, ever ſince the Reformation of Religion, and how much their rage, power, and preſumption are of late, and at this time increaſed and exerciſed; whereof the deplorable ſtate of the Church and Kingdome of Ireland, the diſtreſſed eſtate of the Church and Kingdome of England, and the dangerous eſtate of the Church and Kingdome of Scotland, are preſent and publick teſtimonies; We have now at laſt (after other means of Supplication, Remonſtrance, Proteſtations and Sufferings) for the preſervation of our ſelves and our Religion from utter ruine and deſtruction, according to the commendable practice of theſe Kingdomes in former times, and the example of GODS People in other Nations, after mature deliberation, reſolved and determined to enter into a mutuall and ſolemne League and Covenant: Wherein we all ſubſcribe, and each one of us for himſelf, with our hands lifted up to the moſt high GOD, doe Sweare.

1. That

1. THat we ſhall ſincerely, really, and conſtantly, through the Grace of GOD, endeavour in our ſeverall places and callings, the preſervation of the Reformed Religion in the Church of Scotland, in Doctrine, Worſhip, Diſcipline and Government, againſt our common Enemies; The Reformation of Religion in the Kingdomes of England and Ireland, in Doctrine, Worſhip, Diſcipline, and Government, according to the Word of GOD, and the example of the beſt Reformed Churches; And ſhall endeavour to bring the Churches of GOD in the three Kingdomes to the neareſt conjunction and Uniformity in Religion, Confeſſion of Faith, Forme of Church-government, Directory for Worſhip, and Catechizing; That we and our Poſterity after us, may, as Brethren, live in Faith and Love, and the Lord may delight to dwell in the midſt of us.

2. That we ſhall in like manner, without reſpect of perſons, endeavour the Extirpation of Popery, Prelacie, (that is, Church-government by Arch-biſhops, Biſhops, their Chancellours and Commiſſaries, Deans, Deans and Chapters, Arch-deacons, and all other Eccleſiaſticall Officers depending on that Hierarchy) Superſtition, Hereſie, Schiſme, Prophaneneſſe, and whatſoever ſhall be found to be contrary to ſound Doctrine, and the power of Godlineſſe; leſt we partake in other mens ſins, and thereby be in danger to receive of their plagues; And that the Lord may bee one, and his Name one in the three Kingdomes.

3. We ſhall with the ſame ſincerity, reality and conſtancie, in our ſeverall vocations, endeavour with our eſtates and lives mutually to preſerve the Rights and Priviledges of the Parliaments, and the Liberties of the Kingdomes; And to preſerve and defend the Kings Majeſties Perſon and Authority, in the preſervation and defence of the true Religion, and Liberties of the Kingdomes; That the world may bear witneſſe with our conſciences of our Loyaltie, and that wee have no thoughts or intentions to diminiſh his Majeſties juſt power and greatneſſe.

4. We ſhall alſo with all faithfulneſſe endeavour the diſcovery of all ſuch as have been, or ſhall be Incendiaries, Malignants, or evil inſtruments, by hindering the Reformation of Religion, dividing the King from his People, or one of the Kingdoms from another, or making any faction, or parties amongſt the people, contrary to this League and Covenant, That they may be brought to publick triall, and receive condigne puniſhment, as the degree of their offences ſhall require or deſerve, or the ſupreame Judicatories of both Kingdomes reſpectively, or others having power from them for that effect, ſhall judge convenient.

5. And whereas the happineſſe of a bleſſed Peace between theſe Kingdomes, denyed in former times to our Progenitors, is by the

good

good Providence of God granted unto us, and hath been lately concluded, and ſetled by both Parliaments, We ſhall each one of us, according to our place and Intereſt, endeavour that they may remaine conjoyned in a firme Peace and Union to all Poſterity, And that Juſtice may be done upon the wilfull Oppoſers thereof, in manner expreſſed in the precedent Article.

6. Wee ſhall alſo according to our places and callings in this common cauſe of Religion, Liberty and Peace of the Kingdomes, aſsiſt and defend all thoſe that enter into this League and Covenant, in the maintaining and purſuing thereof; And ſhall not ſuffer our ſelves directly or indirectly, by whatſoever combination, perſwaſion or terrour, to be divided and withdrawen from this bleſſed Union and conjunction, whether to make defection to the contrary part, or to give our ſelves to a deteſtable indifferency, or neutrality in this cauſe, which ſo much concerneth the glory of GOD, the good of the Kingdoms, and honour of the King: But ſhall all the dayes of our lives, zealouſly and conſtantly continue therein, againſt all oppoſition, and promote the ſame according to our power, againſt all lets and impediments whatſoever: And, what wee are not able our ſelves to ſuppreſſe or overcome, we ſhal reveal and make known, that it may be timely prevented or removed: All which we ſhal do as in the ſight of GOD.

And, becauſe theſe Kingdomes are guilty of many ſins and provocations againſt GOD, and his Son JESUS CHRIST, as is too manifeſt by our preſent diſtreſſes and dangers, the fruits thereof, wee profeſſe and declare before GOD and the World, our unfained deſire to be humbled for our own ſins, & for the ſins of theſe Kingdoms; eſpecially, that we have not, as we ought, valued the ineſtimable benefit of the Goſpel, that wee have not laboured for the purity and power thereof, and that we haye not endeavoured to receive CHRIST in our hearts, nor to walk worthy of him in our lives, which are the cauſes of other ſins and tranſgreſsions ſo much abounding amongſt us: And our true and unfained purpoſe, deſire, and endeavour for our ſelves, and all others under our power and charge, both in publick and in private, in all duties wee owe to GOD and Man, to amend our lives, and each one to go before another in the example of a reall Reformation; That the Lord may turn away his wrath, and heavy indignation, and eſtabliſh theſe Churches and Kingdomes in Truth and Peace. And this Covenant wee make in the preſence of Almighty GOD, the Searcher of all hearts, with a true intention to performe the ſame, As we ſhall anſwer at that great Day, when the ſecrets of all hearts ſhal bee diſcloſed: Moſt humbly beſeeching the Lord, to ſtrengthen us by his Holy Spirit for this end, and to bleſſe our deſires and proceedings with ſuch ſucceſſe, as may be deliverance and ſafety to his People, and encouragement to other Chriſtian Churches groaning under, or in danger of the yoke of Antichriſtian Tyrannie, to joyn in the ſame, or like Aſſociation and Covenant, To the glory of GOD, the enlargement of the Kingdome of JESUS CHRIST, and the peace & tranquillity of Chriſtian Kingdoms, & commonwealths.

Seſſ.

Sess. XIV. August 17. 1643.

The Generall Assemblies Approbation of the draught of the League and Covenant presented to them.

THe Assembly having recommended unto a Committee, appointed by them to joyn with the Committee of the Honourable Convention of Estates, and the Commissioners of the Honourable Houses of the Parliament of England, for bringing the Kingdomes to a more near conjunction and Union, received from the aforesaid Committees, the Covenant above-mentioned, as the result of their consultations: And having taken the same, as a matter of so publick concernment, and of so deep importance doth require, unto their graveſt consideration, Did with all their hearts, and with the beginnings of the feelings of that joy which they did finde in so great measure upon the renovation of the Nationall Covenant of this Kirk and Kingdom, All with one voice approve and embrace the same, as the most powerfull mean, by the blessing of God, for setling and preserving the true Protestant Religion, with perfect Peace in his Majesties Dominions, and propagating the same to other Nations, and for establishing his Majesties Throne to all ages and generations. And therefore with their best affections recommend the same to the Honourable Convention of Estates, that being examined and approved by them, it may be sent with all diligence to the Kingdome of England, That being received and approven there, the same may bee with publick humiliation, and all Religious and answerable solemnity, sworn and subscribed by all true Professors of the Reformed Religion, and all his Majesties good Subjects in both Kingdomes.

The Convention of Estates their Approbation of the draught of the League and Covenant aforesaid, 17. August 1643.

THe Noblemen, Commissioners of Shires and Burrows now conveened, having received the Covenant above-mentioned from their Committee, as the result of their consultations with a Committee of the Generall Assembly, and the Commissioners from both Houses of the Parliament of England; And having taken that Covenant unto their graveſt consideration, Did with all their hearts and great expressions of joy and unanimitie approve and embrace the same, as the most powerfull meane, by the blessing of God, for setling and preserving the true Protestant Religion, with a perfect

Peace

Peace in all his Majeſties Dominions, and propagating the ſame to other Nations, and for eſtabliſhing his Majeſties Throne to all ages. And being very confident that their Brethren in the Kingdom of England will heartily receive and approve the ſamine; Therefore according to the earneſt recommendation of that venerable Aſſembly of this Kirk now met, thinks it moſt neceſſary for the good ends aforeſaid, that it be ſent into that Kingdome with all diligence, That being received and approved by their Brethren there, the ſame may be with all Religious ſolemnities ſworn, and ſubſcribed by all true Profeſſors of the Reformed Religion, and all his Majeſties good Subjects in both Kingdomes.

Edinburgh 11. Octob. 1643.

Ordinance for the ſolemne receiving, ſwearing, and ſubſcribing of the League and Covenant.

THe Commiſſioners of the Generall Aſſembly, having received from their Brethren ſent unto the Kingdome of England, the ſolemne League and Covenant above-written, as it was approven by the Honourable Houſes of the Parliament of England, and the Aſſembly of Divines in that Kingdome, and ſolemnly ſworn and ſubſcribed there. After due examination thereof, did all in one voice moſt heartily receive and embrace the ſame, as agreeing with the draught, unanimouſly and chearfully approven and embraced by the late Generall Aſſembly, and Convention of Eſtates, As the moſt powerfull meane, by the bleſſing of God, for ſetling and preſerving the true Proteſtant Religion with perfect peace in his Majeſties Dominions, and propagating the ſame to other Nations, and for eſtabliſhing his Majeſties throne to all ages and generations: And therefore according to the power given to them by the ſaid Aſſembly, Ordaine this ſolemne League and Covenant to bee with publick Humiliation, and all Religious ſolemnities received, ſworn, and ſubſcribed by all Miniſters and Profeſſours within this Kirk; And, that this may bee univerſally performed, It is alſo ordained that this League and Covenant be forthwith printed, and that the printed Copies, bound with ſome cleane ſheets of Paper be ſent unto the Miniſtery, And that every Miniſter upon the firſt Lords Day, after the ſame ſhall come to his hands, read and explaine it, and by exhortation prepare the People to the ſwearing and ſubſcribing thereof ſolemnly, the Lords Day next immediatly following. And it is further ordained that Presbyteries take account of the performance hereof in their ſeverall bounds, and that they proceed with the Cenſures of the Kirk, againſt all ſuch as ſhall refuſe, or ſhift to ſweare and ſubſcribe this League and Covenant, as enemies to the preſervation and propagation of Religion, And that they notifie their names, and make particular report of their own diligence hereintill, to this Commiſſion, or their Moderator, or Clerk

Clerk to be delivered to them. And the Commiſſioners think it very convenient, for good example, and the better encouragement of others, that this Covenant be ſolemnly ſworne, and ſubſcribed by themſelves now preſent, before the Congregation, in the Eaſt Kirk upon Friday next the 13. of this inſtant, after Sermon and exhortation to be made by Maſter *Robert Douglas* Moderator; And that the Commiſſioners of the Convention of Eſtates now in Town, and the Commiſſioners from the Parliament of England, and the Divines of that Kingdome here preſent, be earneſtly deſired to joyne with them in this ſolemne and Religious Action.

At Edinburgh the 12. of October, 1643.

THe Commiſſioners of the Convention of Eſtates, having received from the Commiſſioners of the General Aſſembly, the Solemn League & Covenant above-mentioned, approven and ſolemnly ſworn and ſubſcribed in the Kingdom of England. And having taken the ſame to their ſerious conſideration, doe unanimouſly and chearfully receive and embrace it, as agreeing with that draught, approven by the late Convention of Eſtates and Generall Aſſembly. And therefore ordains the ſame to be with all Religious Solemnities, ſworn and ſubſcribed by all his Majeſties Subjects of this Kingdom: And that under the pain to ſuch as ſhall poſtpone or refuſe, to bee eſteemed and puniſhed as enemies to Religion, his Majeſties Honour, and Peace of thir Kingdomes; And to have their Goods and Rents confiſcate for the uſe of the Publick, and that they ſhal not brook nor enjoy any benefit, place, nor office within this Kingdome. And als ordains all Sheriffs, Stuarts, and others his Majeſties Magiſtrates to Burgh and Land, and Committees in the ſeverall Shires, To bee aſſiſting to Miniſters and Presbyteries, in procuring reall obedience hereunto. And that with all diligence they make report to the Committee of Eſtates, of the names of all ſuch perſons as ſhall poſtpone or refuſe, to the effect courſe may be taken with them, as aforeſaid. And that they may be cited to anſwer to the next Parliament, as enemies to Religion, King and Kingdomes, and to receive what further puniſhment his Majeſty and Parliament ſhall inflict upon them. And further ordains thir preſents to be Printed with the former Act of the Eſtates, and publiſhed at the Market Croſſes of the Head Burrowes of this Kingdome, Wherethrough none pretend ignorance of the ſame.

Articles of the Treatie, agreed upon betwixt the COMMISSIONERS *of the Convention of* ESTATES *of the Kingdome of* Scotland, *authorized by the Committee of the ſaids* ESTATES, *and the* COMMISSIONERS *of both Houſes of the Parliament of* England, *having power and commiſſion from the ſaids Honourable Houſes, concerning the Solemne League and Covenant, and the aſsiſtance demanded in the purſuance of the ends expreſt in the ſamine.*

WHereas the two Houſes of the Parliament of England, out of a juſt and deep ſenſe of the great and imminent danger of the true Proteſtant Religion, in regard of the great Forces of Papiſts, Prelats, Malignants, and their adherents, raiſed & imployed againſt the conſtant Profeſſors thereof in England & Ireland, thought fit to ſend their Commiſſioners into the Kingdome of Scotland, to treat with the Convention of Eſtates, and Generall Aſſembly there, concerning ſuch things as might tend to the preſervation of Religion, and the mutuall good of both Nations: And to that end, to deſire a more neer and ſtrict Union betwixt the Kingdomes, and the aſſiſtance of the Kingdome of Scotland, by a conſiderable Strength, to be raiſed and ſent by them into the Kingdome of England. And whereas upon a conſultation, held betwixt the Committee of the Convention of Eſtates and Generall Aſſembly, and the Commiſſioners of the Parliament of England, no means was thought ſo expedient to accompliſh and ſtrengthen the Union, as for both Nations to enter into a Solemne League and Covenant, and a forme thereof drawn and preſented to the Convention of Eſtates, and Generall Aſſembly of Scotland, and the two Houſes of the Parliament of England, which hath accordingly been done and received their reſpective approbation. And whereas the particulars concerning the aſſiſtance deſired by the two Houſes of the Parliament of England, from their Brethren of Scotland, were delivered in by the Engliſh Commiſſioners Auguſt 19. to the Convention of Eſtates, who did thereupon give power to their Committee, to conſider and debate farther with the Engliſh Commiſſioners of what other Propoſitions might bee added or concluded, whereby the aſſiſtance deſired might be made more effectuall and beneficiall; And in purſuance thereof, theſe Propoſitions following were conſidered of, and debated by the Committee and Commiſsioners aforeſaid, to be certified with all convenient ſpeed, to the Convention of the Eſtates of Scotland, and the two Houſes of the Parliament of England by their reſpective Committees and Commiſſioners, to bee reſpectively taken into their conſideration, and proceeded with, as they ſhould finde cauſe: Which being accordingly done, and theſe enſuing Propoſitions approved, agreed, and concluded of, by the Committee of the Eſtates of Scotland, and the Houſes of the Parliament of England reſpectively; and power by them given to their reſpective Com-

Committees and Commissioners formally, to agree and conclude the samine, as may appear by the order of the Committee, bearing date the 17. of November, and by the Votes of both Houses, dated first of November; We the said Committee and Commissioners, according to their saids Orders and Votes, doe formally conclude and agree upon these Articles following, and in confirmation thereof, do mutually subscribe the samine.

I. It is agreed and concluded, that the Covenant represented to the Convention of Estates and Generall Assembly of Scotland, and sent to both Houses of the Parliament of England, in the samine forme as it is now returned from the two Houses of the Parliament of England to their brethren of Scotland, and allowed by the Committee of Estates and Commissioners of the Generall Assembly, be sworne and subscribed by both Kingdomes, as a most neere tie and conjunction betwixt them, for their mutuall defence, against the Papist and Prelaticall Faction and their adherents in both Kingdomes; and for pursuance of the ends expresst in the said Covenant.

II. That an Army to this purpose shall be levyed forthwith, consisting of eighteen thousand Foot effective, and two thousand Horse, one thousand Dragooners effective, with a suteable traine of Artillerie, to be ready at some Generall Rendezvous neer the Borders of England, to march into England for the purposes aforesaid with all convenient speed, the said Foot and Horse to be well and compleatly armed and provided with Victuals and Pay for fourty dayes: and the said traine of Artillery to be fitted in all points ready to march.

III. That the Armie be commanded by a Generall appointed by the Estates of Scotland, and subject to such Resolutions and Directions as are and shal be agreed and concluded on mutually between the two Kingdomes, or by Committees appointed by them in that behalf, for pursuance of the ends above-mentioned.

IV. That the charge of levying, arming, and bringing the saids Forces together furnished; as also the fitting of the traine of Artillerie in readinesse to march, be computed and set down according to the same Rates, as if the Kingdom of Scotland were to raise the said Army for themselves and their own affairs; all which for the present is to be done by the Kingdom of Scotland upon accompt, and the accompt to bee delivered to the Commissioners of the Kingdome of England: And when the peace of the two Kingdomes is setled, the samine to be repayed or satisfied to the Kingdome of Scotland.

V. That this Armie be likewise payed, as if the Kingdom of Scotland were to imploy the samine for their own occasions, and toward the defraying thereof (it not amounting to the full moneths Pay) shall be monethly allowed and payed, the summe of thirtie thousand

pounds ſterling by the Parliament of England, out of the eſtates and revenues of the Papiſts, Prelates, Malignants, and their adherents, or otherwayes: And incaſe the ſaid thirty thouſand pounds monethly, or any part thereof be not payed at the time when it ſhall become due and payable, the Kingdom of England ſhall give the publick Faith for paying the remainder unpayed with all poſsible ſpeed, allowing the Rate of eight pound *per centum* for the time of the forbearance thereof. And incaſe that notwithſtanding the ſaid monethly ſumme of thirty thouſand pounds payed as aforeſaid, the Eſtates of the Kingdome of Scotland, ſhall have juſt cauſe to demand further ſatisfaction of their Brethren of England, when the peace of both Kingdomes is ſetled, for the paines, hazard and charges they have undergone in the ſame: They ſhall by way of brotherly aſsiſtance, have due recompence made unto them by the Kingdome of England; And that out of ſuch lands and eſtates of the Papiſts, Prelates, Malignants, and their adherents, as the two Houſes of the Parliament of England ſhall think fit. And for the aſſurance thereof, the publick Faith of the Kingdome of England ſhall be given them.

VI. And to the end the ſaid Army in manner foreſaid may bee enabled and prepared to march to the Kingdome of England; Is to pay in ready money to their Brethren of Scotland, or ſuch as ſhal have power from the Eſtates of that Kingdom, the ſumme of An hundred thouſand pounds ſterling, at Leith or Edinburgh, with all convenient ſpeed, by way of advance, before-hand, which is to bee diſ-compted back again into the Kingdome of England, by the Kingdome of Scotland, upon the firſt monethly allowances which ſhall grow due to the Scots Army, from the time they ſhall make their firſt entrance into the Kingdome of England.

VII. That the Kingdom of Scotland, to manifeſt their willingneſſe to their utmoſt abilities, to be helpfull to their Brethren of England in this common Cauſe, will give the publick Faith of the Kingdome of Scotland, to bee joyntly made uſe of with the publick Faith of the Kingdome of England, for the preſent taking up of Two hundred thouſand pounds ſterling in the Kingdome of England, or elſewhere, for the ſpeedy procuring of the ſaid Hundred thouſand pounds ſterling, as aforeſaid; As alſo a conſiderable ſum for the ſatisfying in good proportion, the Arrears of the Scots Army in Ireland.

VIII. That no Ceſſation, nor any Pacification, or agreement for Peace whatſomever, ſhall bee made by either Kingdome, or the Armies of either Kingdomes, without the mutuall advice and conſent of both Kingdoms, or either Committees in that behalf appointed, who are to have full power for the ſamine, incaſe the Parliament or Convention of the Eſtates of Scotland, or the Houſes of the Parliament of England ſhall not ſit.

IX.

IX. That the publick Faith of the Kingdome of Scotland, shall bee given to their Brethren of England, that neither the entrance into, nor their continuance in the Kingdome of England, shall bee made use of to any other ends then are exprest in the Covenant, and in the Articles of this Treatie, and that all matters of difference that shall happen to arise betwixt the Subjects of the two Nations shall bee resolved and determined by the mutuall advise and consent of both the Kingdomes, or by such Committees as for this purpose shall be by them appointed with the samine power, as in the precedent Article.

X. That in the same manner, and upon the same conditions, as the Kingdome of Scotland is now willing to aide and assist their Brethren of England, the Kingdome of England doth oblige themselves, to aide and assist the Kingdome of Scotland in the same, or the like cases of straits and extremities.

Lastly, It is agreed and concluded, that during the time of the Scots Army shall bee imployed as aforesaid, for the defence of the Kingdome of England, There shall bee fitted out men of Warre eight Ships, whereof six shall be of burden betwixt one hundred and twenty, and two hundred Tunne, The other betwixt three hundred and four hundred Tunne, whereof two shall bee in lieu of the two Ships appointed by the Irish Treaty: all which shall be maintained at the charge of the Kingdome of England, to be imployed for defence of the Coast of Scotland, under such Commanders as the Earle of Warrick for the time of his being Admirall shall nominate, with the approbation of the Committees of both Kingdomes: Which Commanders shall receive from the said Earle, generall instructions, that they doe from time to time observe the directions of the Committees of both Kingdomes.

Signed at Edinburgh the twenty ninth of November, 1643.

Subscribitur

Argyle.
Lauderdale.
Lindsay.
Balmerino.
Sir *Arch. Johnstoun.*
Sir *Adam Hepburne.*
Sir *John Smith.*
Sir *William Armyn.*
Thomas Hatcher.
Robert Goodwein.
Richard Beevers.
Robert Fenneck.

Articles of the Treatie, agreed upon betwixt the Commissioners of the Convention of Estates of the Kingdome of Scotland, *authorized by the Committee of the said Estates, and the Commissioners of both Houses of the Parliament of* England, *having Power and Commission from the said Honourable Houses, concerning the setling of the Towne and Garrison of* Berwick.

WHereas the Commissioners of both Houses of the Parliament of England, have received authority from the said Houses, to treat with the Convention of the Estates of Scotland, or those who should bee appointed by them, concerning such things as might tend to the mutuall peace and benefit of both Kingdomes in this common danger of Religion and Libertie: And conceiving it necessary thereunto, that some speedy course should bee taken for the security of the Town of Berwick upon Tweed for the present, and setling it in such a way for the future, as may give satisfaction to both Kingdomes, and may best conduce to their mutuall interest, as appeares by the Paper of the fourth of September, delivered to the Committee. And forasmuch as it hath been thought fit by the Honourable Committee of the Convention of Estates for this purpose, to authorize their Committee, to treat and debate with the Commissioners of the Parliament of England concerning the same: Whereupon the said Commissioners and Committees taking it into their serious consideration, consented and agreed the severall Propositions following should be with all speed represented by them *respective* unto the two Houses of the Parliament of England, and to the Honourable Committee of the Convention of Scotland, as an effectuall means for the future setling and securing the said Town: Which representation being accordingly made, and these ensuing Articles agreed and concluded on by the Houses of the Parliament of England, and the Committee of the Estates of Scotland *respective*, and power by them given to their respective Committees and Commissioners to settle that Town and Garrison, according to the said Articles, as may appear by an Order of the said Houses, dated Octob. 27. 1643. and an Order of the said Committee dated the 17. of November, We the said Commissioners and Committee, do finally conclude and agree upon these following Articles, which we mutually subscribe.

I. It is agreed and concluded, That there shall bee placed forthwith in the Town of Berwick, by the mutuall advice and consent of both Kingdomes, A Garrison of the Scots Nation; The Governour and Prime Officers thereof to be approved by the two Houses of the Parliament of England, or their Commissioners in that behalfe appointed; This Garrison to consist of Six hundred Foot, and two Troopes of Horse, sixty in a Troop, besides the Officers; or lesse, or more, as shall from time to time be thought fit by the two Kingdoms,

or

or their Committees appointed in that behalf, the which Garriſon is to be part, and payed as part of the Scottiſh Army, which according to the grounds of the Covenant and Treaty being mutually agreed unto, they are to bring into England for the ayde and aſsiſtance of their Brethren. And becauſe it is intended, that the ſaid Army ſhall be (beſides the ſaid Garriſon) the full number at leaſt which is propoſed in the Treaty; and that theſe men, Foot and Horſe, will be an over-burden, in reſpect that the Thirty thouſand pounds is not a full monethly pay of the Army, and the charge of the aforeſaid Garriſon by eſtimate, will ariſe unto Fifteen hundred pounds monethly, or thereabouts, It is therefore agreed and concluded, as juſt and reaſonable, that in regard of the new charge, the ſaid Thirty thouſand pounds monethly to be allowed for the ſaid Army, ſhould be made up Thirty one thouſand pounds.

II. That the publick Faith of the Kingdome of Scotland, ſhal be given to the Kingdome of England, That when the Peace of the two Kingdomes ſhall be ſettled, there ſhall bee no Garriſon in Berwick, but the Works ſlighted, and the places diſ-mantled, ſo as all monuments, tokens, and ſhewes of hoſtilitie be taken away, according as is ſpecially provided and agreed to, between the two Kingdomes, by the Articles of the large Treaty; and that during the time the Garriſon foreſaid ſhall be and remain in the ſaid Town, the Liberties, Properties, and Priviledges of the ſaid Town, in their perſons, eſtates, or politick Governement, ſhall be maintained and preſerved inviolably unto them, without any moleſtation or infringement; and if any differences ſhall happen to ariſe in and about the ſame, they ſhal be ſetled and determined by the advice of both Kingdomes, or their Committees in that behalf appointed. And to the end that in the meane time the ſaid Town may not be ſurpriſed by the ſaid Papiſts and their adherents, It is further agreed, that the Committees of both Kingdomes ſhall mutually imploy their care and endeavours to ſecure the ſaid Town, till it ſhall be ſetled in manner aforeſaid.

Signed at Edinburgh the 29. of November. 1643.

Sic ſubſcribitur

Argyle.
Lauderdale.
Lindeſay.
Balmerinoch.
Sir *Arch. Johnſtoun.*
Sir *Adam Hepburne.*
Sir *John Smyth.*
Sir *William Armyne.*
Thomas Hatcher.
Robert Goodwein.
Richard Beevers.
Robert Fennick.

AT

At Edinburgh the 31. of January 1644.

THe Convention of Eſtates conſidering that this Kingdome having entred into a ſolemne League and Covenant, for Reformation and Defence of Religion, the Honour and Happineſſe of the Kings Majeſtie, and the Peace and Libertie of the Kingdomes of *Scotland*, *England*, and *Ireland*: and in purſuance of theſe ends, being forced to leavie an Armie to beeſent into *England*: and that by the ſaid Covenant they are bound in Conſcience, Dutie, and for their own ſafetie, To contribute their beſt endeavours in providing of ſome means for preſervation of Religion, Laws and Liberties, from utter ruine; for relief of the neceſſities of the Armie ſent from this Kingdom for that purpoſe: and for ſome ſupply of the extreme wants of the *Scots* Armie in *Ireland*. And alſo remembring that the great burdens of this Kingdome have hithertills lyne upon the well-affected, who did willingly embrace the ſame, whiles the Malignants were uſing all cunning wayes, both to free themſelves, and hinder others, Do finde it abſolutely neceſſar, that ſome conſtant, juſt, and equall way, leaſt prejudiciall to the Kingdome, and moſt beneficiall to the Cauſe in hand, be reſolved upon, for ſettling ane ſolide foundation of a ſtock of credit and ſecuritie, whereupon ſummes of Money may be raiſed for the preſent ſupply, and future relief of the neceſſities of theſe Armies: And after ſerious deliberation have agreed, that the ſame ſhall be by way of *Exciſe*.

And accordingly Statutes and Ordains, that the ſeveral Rates put upon the Exciſeable goods contained in the Roll thereof ſet downe thereanent, ſhall be laid on all and every one of the Commodities therein ſpecified, over and aboye all Cuſtomes, and other duties due and payable for the ſame: And recommends to the Committee of Eſtates, To take ſome courſe how this Exciſe may moſt ſpeedily, and with leaſt trouble and expence to the Kingdome, be up-lifted thorow the Shires and Burrows thereof.

The

An Act of the Eſtates of Scotland, for raiſing of Moneys for a preſent ſupply to the Armies ſent into England and Ireland.

At Edinburgh the ſecond of February 1644.

FOrſameikle as the Convention of Eſtates finding themſelves bound in conſcience and dutie for ſetling of a ſtock of credit and ſecurity, whereupon ſummes of Money may be preſently raiſed for ſupply of the Army ſent into England, and relieving in ſome meaſure the extreme wants of the Scots Army in Ireland, Did conclude and agree that the ſame ſhould be by way of Exciſe; Yet conſidering that the neceſſitie of the Armies cannot admit of delayes, and the ſummes to be raiſed on this Exciſe will not be timouſly gotten in for ſupply thereof, But that the famine joyned with the Publick Faith of this Kingdome, may be a ſufficient ſurety to any that will advance Moneys in the interim;

Have therefore thought fit to require and ordain, That all perſons of this Kingdome, who have Moneys, or by their credit and ſurety can beſt and ſooneſt raiſe Money, To lend the ſame to the Eſtates, or their Committees, for the uſes foreſaids, Who ſhall have aſſurance for their repayment from the Publick, out of the Moneys due by the Kingdome of England to the Armies, according to the proportion to be advanced to either of them *reſpectivè*; Or that ſhall be raiſed upon this Exciſe, which the Collector and his Deputes ſhall be bound to pay them, out of the firſt of his intromiſſion thereof; Or by any other manner of ſurety, private or publick, they ſhall deſire. And in caſe any ſhall deſire private ſurety, It is hereby ordained, that the perſons whom the Lenders ſhall deſire to be bound to them, ſhall either obliege themſelves to the Lenders, or furniſh the Moneys themſelves: and in either caſe ſhall have publicke ſurety foreſaid for their reliefe. And the perſons thus obliged to the Lenders in a private ſurety, ſhall have ſuch others of any Eſtates (that are in the Towne or Shire where the Money is to be borrowed) joyned with them as they ſhall deſire.

And for the better proſecuting hereof, The Eſtates gives power to their Committee, in ſuch an exigencie, and upon warrandize of repayment foreſaid, To call before them all ſuch perſons as are knowne to be able by themſelves or their credit to Lend or raiſe Money; And to require and ordaine them to Lend, or give ſuch ſurety as will preſently raiſe the ſummes of Money the Committee ſhall require from them, upon the aſſurances above-written. And if any ſhall refuſe, with power to the Committee, To take ſuch courſe with them, as in a time of

ſo preſſant neceſſity they ſhall thinke fitting to make them advance Moneys, as ſaid is. But if any will be pleaſed upon this ſecurity willingly to offer Moneyes, it ſhall be eſteemed and imbraced as a reall teſtimony of their affection to Religion and the Cauſe in hand.

And further, the Eſtates gives hereby power and command to the Committee of Warre in the Shires, To take ſuch courſe within their ſeverall bounds for procuring of Moneys in manner foreſaid, as is above-written, or from time to time ſhall be direct to them from the Committee of Eſtates, and to report.

LIKEAS, The ſaids Eſtates of Parliament ſtatutes and ordains, the borrowing of Moneys, conforme to the Act above-written made there-anent by the Convention of Eſtates, and hereby ratified, to endure while the firſt day of Auguſt 1645. years; And declares, That there ſhall be no returning for borrowing of Moneyes from theſe perſons who has already lent Moneyes by ordinance of the Committee, conforme to the ſaid Act, and who has accordingly payed the ſamine, and received ſecurity from the Publicke therefore.

And farther, The ſaids Eſtates of Parliament, but derogation to the particular and generall ratifications *reſpectivè* before-rehearſed, likewiſe ratifies, approves, and confirmes thir Acts after-ſpecified, made by the ſaid Convention of Eſtates; *viz.* The Act anent the conſtitution of the foreſaid Convention of Eſtates, declaring the ſaid Convention to be lawfully called, and als full and free in it ſelfe, conſiſting of all the Members thereof, as any Convention has beene at any time by-gone, dated the 26. day of June 1643. years. *Item*, the Act of the Convention of Eſtates appointing the Loane and Taxt therein mentioned, dated the 15. day of Auguſt 1643. years. *Item*, the Act of the Convention of Eſtates eſtabliſhing the Committees of Warre in the ſeverall Shires, dated the 26. of Auguſt 1643. years. *Item*, the Act of the Convention of Eſtates eſtabliſhing the Committee of Eſtates, dated the 26. day of Auguſt 1643. years. *Item*, the Act of the Convention of Eſtates concerning the Cuſtome of Armes and Ammunition, dated the ſixth day of January 1643. years. *Item*, the Act of the Convention of Eſtates, dated the 16. of Auguſt 1643. ratifing the Commiſſion and Warrant granted by the Kings Majeſtie, with conſent of the Lords Commiſſioners of his Majeſties Theſaurarie and Exchequer, under the Great Seale, of the date at Yorke the 7. of May 1642. to *John* Earle of Lowdoun, Lord high Chancellour of Scotland, To ſell and diſpone all and whole the annuitie of teinds, due to his Majeſtie for payment of the prices, and with the deductions and other proviſions contained in the Commiſſion, and to uplift and intromet with the ſamine annuitie during his life-time; With the Act of the Lords of Exchequer made thereanent the 27. of June 1642. years. Together with the Letters of gift granted by his Majeſtie to *James Levingſtoun* Keeper of his Highneſſe Privie Purſe, of the foreſaid

ſaid annuitie of Teinds, with the rights and diſpoſitions of the ſame; made by the ſaid *James Levingſtoun* to the ſaid Earle of Lowdoun Chancellour. *Item*, the Act made by the Convention of Eſtates anent the Wards of ſuch as ſhall die in the publick ſervice, dated the 6. day of January 1644. years. *Item*, the Act made by the Convention of Eſtates upon the firſt day of February 1644. years, for putting of the Kingdome in a Poſture of Defence: And the joynt Declaration of both Kingdomes for vindication and defence of Religion, Liberties, and Lawes, againſt the Papiſts, Prelaticall and Malignant party, dated in Scotland the 6. of January 1644. and in England January 30. 1643. Together with all other Acts, Decreets, Sentences, Precepts, Warrants, Commiſsions, Inſtructions, Declarations, and other Ordinances and Deeds, made and done by the ſaid Convention of Eſtates, or by the Committee from the Convention of Eſtates, In all and ſundry heads, clauſes, conditions, proviſions, and circumſtances whatſoever, of the ſaids particular Acts immediately above ſpecified, and ilk one of them, with the Commiſsions, Gifts, Warrants, Diſpoſitions, and others Rights mentioned in the ſame particular Acts above-written, or any of them; And in all and ſundry the heads, articles, clauſes, and conditions of the foreſaids others Acts, Decreets, and others generally above-mentioned, made by the Convention of Eſtates, or Committee thereof foreſaid. And the ſaids Eſtates of Parliament ordains the foreſaids whole Acts and others *reſpective* particularly and generally above-mentioned, and every one of them, to have the force, ſtrength, and authority of Acts and Ordinances of Parliament, and to be as valid and effectuall in all points, conforme to the tenors thereof, as if the ſame and every one of them were *verbatim* and at length inſert in this preſent Ratification, whereanent the Eſtates of Parliament hereby diſpenſes. Like as the ſaids Eſtates of Parliament, taking into conſideration the ſervice performed by *Archbald Primeroſe*, Clerk to the ſaid Convention and Committee, findes and declares, That he hath carefully and faithfully diſcharged the duty incumbent to his Office, and fully anſwered the truſt of his imployment, and therefore approves his carriage therein, and declares he hath behaved himſelfe as an able Clerk, and loyall Subject.

ACT VI.

Commiſsion for theſe that goes to England concerning the Propoſitions of the Articles for a Treatie of Peace.

16. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates in *Anno* 1641. Conſidering that this Kingdome (after all other meanes of Supplications, Remonſtrances, and ſending of Commiſſioners to his Majeſtie, have been uſed without ſucceſſe) Did enter in a ſolemne League and Covenant with the Kingdome and Parliament of England, for Reformation and Defence of Religion, the Honour and happineſſe of the King, the Peace and Safety of the three Kingdomes of Scotland, England and Ireland; and a Treaty agreed upon, and an Army and Forces raiſed and ſent out of this Kingdome for theſe ends: Whereupon the Convention of Eſtates of this Kingdome, the ninth of January laſt, being deſirous to uſe all good and lawfull means that Truth and Peace might be eſtabliſhed in all his Majeſties Dominions, with ſuch a bleſſed Pacification betwixt his Majeſtie and his Subjects, as might ſerve moſt for his Majeſties true Honour, and the Safety and Happineſſe of his People, Granted Commiſſion to *John* Earle of Lowdoun High Chancellour of Scotland, *John* Lord *Maitland*, then and yet in England, Sir *Archbald Johnſtoun* of Wariſtoun, one of the Lords of Seſsion, and Maſter *Robert Barclay* now in England, To repair to England; With power to them, or any two of them, to endeavour the effectuating of the foreſaids ends, conforme to the Commiſſion and Inſtructions then given to them, as the Commiſsion of the date foreſaid proports. Like as the ſaid *John* Lord *Maitland*, Sir *Archbald Johnſtoun*, and Maſter *Robert Barclay*, have ever ſince attended in England in the diſcharge of the foreſaid Commiſsion, while lately that Sir *Archbald Johnſtoun* is returned with ſome Propoſitions prepared by the Committee of both Kingdomes, to be preſented to the Eſtates of Scotland, and to both Houſes of the Parliament of England, and by them to be reviſed and conſidered, and then by mutuall advice of both Kingdomes to be preſented for a ſafe and well grounded Peace. Which Propoſitions are reviſed, conſidered, and adviſed by the Eſtates of Parliament now conveened, and their ſenſe and reſults drawne up thereupon. Which Commiſsion is to endure while the comming of the Commiſsioners under-written. And herewith alſo conſidering, that the ends for the which the ſame was granted, are not yet effectuall, and that the Propoſitions, with the Eſtates their reſults thereupon, are to be returned to the Parlament of England; Therefore the Eſtates of Parliament by thir preſents gives full power and

and Commiſsion to the ſaid *John* Earl of Lowdoun Lᵒhigh Chancellour of this Kingdome, *Archbald* Marqueſſe of Argyle, and *John* Lord Balmerinoch, for the Nobility; Sir *Archbald Johnſtoun* of Wariſtoun, Sir *Charles Areskine* of Cambuskenneth, and Maſter *John Dundas* of Maner, for the Barons; Sir *John Smith* of Grottell, Proveſt of Edinburgh, *Hugh Kennedie* Burges of Air, and Maſter *Robert Barclay*, for the Burrowes, (the three Eſtates of this Kingdome) and to *John* Lord *Maitland* ſupernumerarie in this Commiſion, or to any three or more of the whole number, there being one of ilk Eſtate, as Commiſsioners from the Eſtates of Parliament of this Kingdome, to repair to the Kingdome of England (ſuch of them as are not there already) and with power to them, or any three or more of the whole number, there being one of ilk Eſtate, to endeavour the effectuating of the foreſaids ends, the concluding of the Propoſitions, with the Eſtates their reſults thereupon, and all ſuch other matters concerning the good of both Kingdomes, as are or ſhall be from time to time committed unto them by the Eſtates of this Kingdome, or Committees thereof, according to the Inſtructions given or to be given to the Commiſsioners above-named, or their *Quorum*. And for this effect the Eſtates ordains *John* Earle of Lowdoun Chancellour, *John* Lord Balmerinoch, Sir *Archbald Johnſtoun* of Wariſtoun, Sir *Charles Areskin* of Cambuskenneth, and *Hugh Kennedie*, to repaire with all diligence to the Kingdome of England, to the effect before rehearſed, conform to this Commiſsion and Inſtructions. As alſo the Eſtates ordains the ſaids *Archbald* Marqueſſe of Argyle, Maſter *George Dundas* of Maner, and Sir *John Smith* Proveſt of Edinburgh, to repaire to the Kingdom of England, with all ſuch conveniencie as the occaſion of the buſineſſe ſhall require, or as they ſhall be commanded either by the Committee from the Parliament heer, they being in Scotland, or by the Committee with the Army, they being in England; And ordaines them to joyne with the remanent Commiſsioners to the effect above mentioned, conforme to the Commiſsion and Inſtructions given or to be given to the Commiſsioners, or their *Quorum* thereanent, by the Eſtates of this Kingdome, or Committees thereof. And the Eſtates of Parliament by thir preſents holds and ſhall hold firme and ſtable all and whatſoever things the Commiſsioners above-named, or any three or more of them, ſhall do, conforme to this Commiſsion, and to the Inſtructions given or to be given to them.

ACT

ACT VII.

Act for putting the Acts againſt Run-aways and Deficients to execution.

18. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in *Anno* 1641. Conſidering that the Acts made by them anent Run-awayes and Fugitives from the Armies, and anent the deficients in out-putting of their Foot and Horſe, are not put to due execution againſt the ſaids Fugitives and contraveeners thereof; Therefore the ſaids Eſtates by thir preſents gives power and warrant to the perſons after-ſpecified, within the ſeverall Shires and Presbyteries underwritten, deſigned and condeſcended upon by the Commiſſioners of the Shires, to be the gatherers and bringers up of the foreſaids Fugitives Horſe and Foot within the ſaids ſeverall Shires and Presbyteries: *viz.* For the Sheriffdom of Edinburgh, to Sir *James Fowls* of Colington for the Presbytery of Edinburgh, and to *Dundas* of Arneſton for the Presbyterie of Dalketh: For the Sheriffdome of Fyfe, *George Hay* of Nauchtoun for the Presbyteries of Saint Andrews and Cowper, and to *Robert Dempſter* of Barnbougie for the Presbyteries of Kirkaldie and Dumfermling: For the Sheriffdome of Lithgow, to *David Dundas* of Philpſtoun: For the Sheriffdome of Lanerk to *John Hammiltoun* of Gilkerſcleugh, and *David Hammiltoun* of Auchintoll for the overward of Cliddiſdale, and to *Hammiltoun* of Hags, and *James Hammiltoun* younger of Woodhall for the Netherward of Cliddiſdale: For the Sheriffdome of Drumfreis, to *John Crichtoun* of Crawfordſtoun for Nithiſdale, and to *James Johnſtoun* of Corheid for Annandale: For the Sheriffdome of Stirlin, to *John Rollock* of Bannockburne: For the Sheriffdome of Hadingtoun to Maſter *John Hepburne* of Smetoun: For the Sheriffdome of Berwick to *John Hume* of Nanewar, and *Robert Trotter* of Rowcheſter: For the Sheriffdome of Clackmannan, to *Shaw* of Sanchie: For the Sheriffdome of Peebles, to *Andrew Hay* of Hayeſtoun, Sheriffe-depute, or Maſter *John Hay* his ſon: For the Sheriffdome of Bute, to *Ninian Stuart* of Kilchattan: For the Sheriffdome of Air, to *Cunningham* of Cunninghamheid for Cunningham, to Sir *William Cunningham* of Capringtoun for Kyle, and to *Mac-Alexander* of Corſcleyes for Carrick: For the Sheriffdom of Kincardin, to *Robert Douglas* of Brigfoord: For the Sheriffdome of Roxburgh, to the Officers and Commanders of the Earle of Lowthians Regiment lying within the Sheriffdome of Roxburgh: For the Sheriffdome of Perth, to Sir *Patricke Ogilvie* of Inchmartin, for the Presbyterie of Dunkel, to *George Drummond* of

of Ballach, for that part of the Presbyterie of Megle lying in Perth ſhire; to *William Oliphant* brother to umwhile Maſter *Ninian Oliphant* of Colcenchar, for the Presbyterie of Perth; to Sir *John Hadden* of Glenegies, for the Presbyteries of Dumblane and Auchterardour; all thir for the Foot Fugitives of the ſaid Shire; and to *Laurence Ogilvie* of for the Fugitives of the Cavailrie of the Sheriffdome of Perth: For the Stewartrie of Kircudbright, to *Thomas Rome* appeirand of Ernegray for the ten Pariſhes beneath Ure, and to *William Mackulloth* of Ardnell for the reſt of the Stewartrie: For the Sheriffdome of Wigtoun, to *Uchter Mac-Dowell* of Frewch for the Presbyterie of Stranrawer, and to *David Dumbar* of Baldone for the remnant of the ſaid Shire: For the Sheriffdome of Aberdene, to Sir *William Forbes* of Craigivar: For the Sheriffdome of Renfrew, to *Brice Semple* of Cathcart: For the Sheriffdome of Forfar, to *Grayhame* of Fintrie: For the Sheriffdome of Selkirk, to *James Pringle* of Torwoodlie: For the Sheriffdome of Innerneſſe, to *Thomas Fraſer* elder of Strechine: For the Sheriffdome of Argyle, to *Campbell* of Ardchattan: For the Sheriffdome of Bamff, to Sir *Alexander Abercrombie* of Birkinbogue: For the Sheriffdome of Sutherland, to *Gordoun* of Kinbo: For the Sheriffdome of Murray, to the Laird of Innes: For the Sheriffdome of Nairne, to *Roſſe* of Kilraok: For the Sheriffdome of Cromartie, to *Urquhart* of Dunlugus: To put the Acts anent the Run-awayes and Deficients to due and exact execution, within the whole bounds of the Shires and Presbyteries *reſpectivè* above deſigned to them and ilk ane of them in manner above divided (excepting alwayes the free Royall Burrowes within the foreſaids whole bounds.) And the Eſtates dains the Committees of Warre in the ſeverall Shires and bounds *reſpectivè* above-ſpecified, to bee aſſiſting to the perſons above-named, in the putting of the ſaids Acts to execution; And to apprehend the ſaids Run-awayes, and the Reſetters to be fined according to the Acts; and that there be one or more hanged in example of others, conforme to the Act, and the reſt to be brought to Edinburgh by the forenamed perſons *reſpectivè* appointed for putting of the foreſaids Acts to execution within the Shires, Presbyteries, and bounds above-mentioned, that they may be ſent from thence to the Army. With power to the ſaids perſons *reſpectivè* above-named, To take up the fines contained in the ſaids Acts, within the bounds *reſpectivè* above-ſpecified deſigned to them, the one halfe thereof to themſelves for apprehending of the ſaids Run-awayes, and the other halfe to be payed to the Publick, and the expences of the Run-awayes entertainment, and bringing them to Edinburgh, to be payed out of the Publicks halfe, and the ſuperplus to be payed to the publick. And Sicklike, The ſaids Eſtates grants the like power and warrant as is above-ſpecified, to the Proveſts, Baillies, and Magiſtrates of the whole free Royall Burrowes of this Kingdome, for putting of the foreſaids Acts to exact execution within their Burghs and Juriſdictions thereof againſt the Run-awayes and Deficients, and for apprehending and

bringing

bringing of them to Edinburgh, and hanging of them, one or more, in example of others, conforme to the foreſaid Act; and for taking up of the foreſaids fines, the one halfe thereof to the Magiſtrates themſelves for apprehending of the ſaids Run-awayes, and the other halfe to be payed to the Publick, and the expences of the Run-awayes entertainment and bringing them to Edinburgh; to be payed out of the Publicks halfe, and the ſuperplus to be payed to the Publicke, as ſaid is. And the Eſtates ordaines the Clerke of Regiſter to extract, ſubſcribe, and deliver to the Magiſtrates of ilk free Burgh Royall, and to ilk one of the ſeverall perſons above-named for the ſeverall Shires, Presbyteries, and Diviſions above-ſpecified, ſeverall Extracts of the power and Warrant above-writtten, granted to them by the Eſtates of Parliament for the ſeverall Shires, Burghs, Presbyteries, and bounds *reſpectivè* above-mentioned, committed to their charge, in manner above-deſigned.

ACT VIII.

Act in favours of the free Royall Burrowes anent their relief, and payment of the ſummes advanced by them to the Factors in Campheir, for the Arms and Ammunition ſent to this Countrey in the late Troubles.

18. *July* 1644.

ANent the ſupplication given in to the Eſtates of Parliament now preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in *Anno* 1641. whereof the tenor followes:

The humble Petition of his Majeſties free Burrowes, To the Right Honourable the Lords and others of this preſent Parliament; Shewes,

That whereas this Kingdome being ingaged to the Factors of the Nation at the Town of Campheir, they having ingaged themſelves in great ſummes of Money for inbringing of Powder and Ammunition within this Countrey the time of the late troubles, For whoſe reliefe the Nobility in an earneſt manner did deale with the Burrowes for ſatisfying of the ſaids Factors; For which cauſe many of the ſaids Burrowes did ingage themſelves to the ſaids Factors, and made payment to them of their ſaids Moneyes, according as the ſamine was layed upon them, conforme to their Taxt Roll: Herefore it is humbly deſired, That the ſaids Lords and others of the Parliament would be pleaſed, To cauſe the ſaids Burrowes, who has payed their ſummes to the ſaids Factors, to be preſently ſatisfied; Or otherwiſe, That they will give warrant to the ſaids Burrowes to retaine als much Money off the firſt and readieſt

readieſt of the Loane Money, or other ſummes due by them or any of their neighbours to the Eſtates. And your Lordſhips anſwer humbly we crave, as the Supplication proports.

Which Supplication above-mentioned, being read in audience of the Parliament, and the ſamine, with the deſire thereof, tane in conſideration by the Eſtates of Parliament, The ſaids Eſtates findes the deſire above-written of the Supplication reaſonable, And therefore, and in reſpect of the compt produced (made before the Committee of the common Burdens, and ſubſcribed by *Robert Hepburne* Clerk thereof) Bearing the particular ſummes payed and advanced to the Factors at Campheir, by the ſeverall Burrows and Burgeſſes *reſpectivè* therein contained, with the Annual-rents of the ſamin ſummes. The ſaids Eſtates ordains the ſaids Burrows and Burgeſſes *reſpectivè*, contained in the ſamin compt, To be payed off the ſaids ſummes & Annual-rents thereof, Out of the Exciſe or borrowed Moneys due to the publick, and which is to be exacted, uplifted, or borrowed for the uſe of the publick, within theſe Burrows *reſpectivè*, who, or their Burgeſſes, hes payed and advanced the ſaids ſummes to the Factors. And for this effect, The ſaids Eſtates by thir preſents, Gives precept and warrant to the Theſaurer, or Collector Generall of the foreſaid Exciſe, and to the Commiſſar or Intrometters with the Money borrowed for the uſe of the Publick, to make payment to the ſaids free Burrows, and to the ſeverall Burgeſſes thereof *reſpectivè*, advancers and payers of the ſummes above-mentioned to the Factors in Holland, off the ſamin ſummes ſua payed and advanced, by ilk one of the ſaids Burrows and Burgeſſes *reſpectivè* for their own parts, and of the Annual-rents of the ſamin ſummes yet reſting unpayed to them. And that out of the Exciſe or borrowed Moneys due to the publick, and to be exacted, uplifted, and borrowed for the uſe of the publick, within theſe free Burrows *reſpectivè* of this Kingdome, who, or their Burgeſſes *reſpectivè* thereof, hes payed the foreſaids ſummes to the ſaids Factors in Holland, conforme to the foreſaid compt produced for inſtructing of their ſeverall payments therein ſpecified, and whereof repayment is now craved by the ſaid ſupplication. And ordains every one of theſe free Burrows or their Burgeſſes, payers and advancers of the foreſaids ſummes, to have ſeverall Acts and Precepts ſubſcribed and delivered to them by the Clerk of Regiſter, to the effect above-ſpecified, for payment of their ſeverall ſummes and Annual-rents thereof yet reſting unpayed, ilk ane for their own parts, in manner contained in the ſaid compt produced, and according to the Diviſion therein ſpecified.

ACT IX.

Commiſſion for the Northerne Buſineſſe.

19. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in *Anno* 1641. Conſidering that the Convention of Eſtates of this Kingdome, upon occaſion of the recent Northerne Rebellion, did nominate and appoint a Committee, conſiſting of certain Noblemen, Barons, and Burgeſſes, to go alongs with the Forces ſent thither for ſuppreſsing of the ſaid Rebellion; Giving full Power and Commiſsion to them, to provide Victuall and all other neceſſars for the uſe of the ſaid Army, and to have the Government of the affairs thereof, and to purſue the Authours, Actors, and Aſsiſters in the ſaid Rebellion, and to call before them all Malignants, and Oppoſites, and to cenſure them, and to give their concurrence for ſetting on and eſtabliſhing of the matter of the Exciſe, and for bringing forth of the Forces, Horſe and Foot, appointed by the Printed Orders, and for eſtabliſhing the Peace of the Countrey, and for doing and managing of certaine other great and important points at length conteined and expreſt in the ſaid Commiſsion; as the ſamin dated the ſixteenth day of April laſt by-paſt bears. And that the ſaid Committee, according to the ſaid Commiſsion, having gone alongs with the ſaid Army to the North; Hes moſt carefully and prudently acquit themſelves of that great and weighty charge committed unto them, in diſsipating the Army of the ſaid Rebellion, apprehending ſome of the prime authours thereof, and their aſſociates, and ſending them to the Committee of Eſtates at Edinburgh, to receive their tryall there, or before the high Court of Parliament; in taking of all the ſtrong Holds and Caſtles belonging to the ſaids Rebels, and fortifying the ſame with Gariſons; in providing the ſaid Army with Victuall, and all other neceſſars, in citation of the Rebels and Malignants before them, to the number of four or five hundreth perſons or thereby, and putting ſuch as compeired under band, and in the execution of many other important points and paſſages at length conteined in the report made by the Lord Marqueſſe of Argyle, as chief Commander of the ſaids whole Forces, Horſe and Foot, ſent alongs in the ſaid expedition, and by the Lord Burghlie as Preſident of the ſaid Committee, unto the Eſtates of this preſent Parliament; As their ſeverall reports and Ratification and Approbation of their good ſervices granted to them in this preſent Parliament at length bears. And howſoever the ſaid Lord Marqueſſe of Argyle, and the ſaid Lord Burghlie and remanent of the ſaid Committee, and all other, Noblemen, Gentlemen, and others intereſſed in the ſaid imployment,

ployment, have ſo acquit themſelves therein, that ſuch ſucceſſe could not be expected in ſo ſhort time, yet in regard of the preſent Parliament, were then forced to break up, and adjourne their meetings untill the twentieth day of June laſt by-paſt; and which ſince have been continued by order of Parliament, firſt, untill the eleventh of July, and, thereafter untill the twenty fifth day of July, inſtant; ſo that there reſteth many and weighty matters to be done, which doth require and call for the election of a Committee of Eſtates for finiſhing and ſetling thereof. Therefore the ſaids Eſtates of Parliament preſently conveened, by vertue of the ſaid laſt Act made in the laſt Parliament, have nominate and appointed, and by theſe preſents nominates and appoints *John* Earle of Sutherland, *William* Earle Marſhall, *James* Earl of Murray, *John* Earle of Kinghorne, Earle of Seaforth, *James* Earle of Finlater, Vicount of Artbuchnet, Vicount of Frendraucht, Lord Forbes, *William* Lord Fraſer, *John* Lord Loure, *Geo.* Lord Gordon, *James* Lord Carnegie, *David* Lord Elcho, *Grahame* of Morphie elder, ſir *Alex. Carnegie* of Pittarro, *John Barclay* of Johnſtoun, *Alex. Fraſer* of Philorth, *John Forbes* elder of Leſly, or *Willam Forbes* his ſonne in his abſence, ſir *William Forbes* of Craigievarre, or *John Kennedy* of Kermukkis in his abſence, *Tho. Areskine* of Pittodrie elder, or *Tho. Areskine* younger of Pittodrie in his abſence, *Arthur Forbes* of Echt, or *Alex. Straquhane* of Glenkindie in his abſence, *Oglevie* of Boyne, ſir *Alex. Abercrumbie* younger of Birkenboig, *Geo. Baird* of Auchmeddane, ſir *Rob. Inneis* of that Ilk, ſir *John Grant* of Freuchie, *Roſſe* of Kilrawick, or *John Grant* of Moynes in his abſence, ſir *James Fraſer* of Dolles, Lieutenant Colonell *Arnet*, ſir *James Melvill* of Bruntiland Knight, *Gourlay* of Kingraige, *Weymes* of of Fingask, *John Seaton* Fiar of Lawfreis, Major *Meldrum*, and Maſter *James Baird* of *George Jameſon* in Cowper, *Thomas Haliburtoun* in Dundie, *John Auchterlonie* in Aberbrothick, *Robert Beattie* in Montroſe, *James Pedether*, *Patrick Leſly* Proveſt of Aberdene, Maſter *Alexander Jaffray* there, Maſter *William Moir* there, *Walter Cochrane* there, Maſter *Robert Ferquhair* there, Maſter *Alexander Douglas* Proveſt of Bamff, Maſter *John Hay* in Elgin, *Duncan Forbes* in Innerneſſe, Maſter *John Dumbar* in Forres, Maſter *John Douglas* in Elgin: To be of this the ſecond Committee for the ſaid Northern expedition throughout the whole bounds of the Sheriffdoms of Kingiſcardin, Aberdene, Bamff, Elgin, and Forres, Innerneſſe, Nairne, Sutherland, Caithneſſe, Cromartie. And nominates the ſaid *Robert* Lord Burghlie to be Preſident of the ſaid Committee: With power to them or any nine promiſcuouſly of them who ſhall be a *Quorum*, to bee a Committee of Eſtates, to goe toward the North, and to have the Government of the Forces left there, and to give their beſt advice and aſſiſtance in what may conduce to the good and ſafety of the ſame, and to make and ſet down ſuch order thereanent, as they ſhall think fitting, for ſuppreſsing of any inſurrection

ſurrection that ſhall ariſe, and for appointting of the Countrey to aſsiſt the ſaids Forces, when they ſhall be required by him who ſhall have the command thereof: As alſo to provide Victuall and other neceſſars for the ſaids Forces, and to call before them all, and ſuch Malignants as have already ſet caution for their compearance, and their cautioners who are oblieged to preſent them, and to proceed to the proceſſing, trying, and cenſuring of them, as they ſhall think meet, and as the merits of their ſeverall crimes and offences ſhall requite; either by puniſhment of their Perſons and ſecuring thereof, or by impoſition of Fines upon them and uplifting thereof, or otherwiſe; and to deduce all lawfull probation thereanent, by writ, witneſſe, oath of party or aſſiſes, and to take ſuch courſe as in juſtice they ſhall think meet, againſt the more notorious Rebels and Malignants who are Fugitives, and againſt whom order is given forth by the former Committee to be brought in dead or alive, and ſummes of Money, and prices ſet down upon them, to be payed to the takers, apprehenders, and inbringers of them; and als againſt all others the abſents who have not yet compeired before the former Committee, that they may bee brought to due tryall and puniſhment, as the ſaid Committee ſhall think fit. And als to call before them all Excommunicate perſons, and non-ſubſcribers of the Covenant, and to bring them alſo to due tryall, cenſure, and puniſhment, as the ſaid Committee ſhall think meet, without prejudice of any other courſe or farther Fines to be laid on by the Eſtates of Parliament upon the ſaids Rebels and Malignants. And als to take notice of the loſſes ſuſtained by our friends and wel-affected perſons in the North, upon occaſion of the ſpoliation, theſts, robberies, depredations, oppreſſions, and heirſhips done and committed by the Rebels and Malignants, for not adjoyning and adhering to them in their Rebellion and Rebellious courſes. And for that effect to direct forth ſummonds and precepts at the inſtance of the parties complaining, or of the Procurators of the Eſtates their aſſiſting, or *ex officio Judicis*, againſt whatſoever perſon or perſons their Adherents and Complices, and to grant all neceſſar proceſſe thereintill. Decreets and ſentences thereupon to give forth, pronounce, and deliver, and the ſamine to due execution cauſe be put, and for recompence and payment to be made to the ſaids perſons of their loſſes, as they ſhall be juſtly proven and qualified forth of the eſtates and goods of the committers of the ſaid ſpoliation, theſts, reiſes, and robberies; or if the ſamine cannot be had there, forth of the readieſt of the Rents of whatſoever other Malignants, or forth of the Fines to be impoſed and lifted upon and off the ſaids Rebels and Malignants their eſtates and goods. And ſuch like with power to the ſaid Committee, to put the whole orders formerly given forth by the former Committee, to due execution in all points, inſiſting where they left, untill the finall end and execution thereof. And to compell the perſons who were ordained by the former Committee, to lend Moneys for the uſe of the Publick to pay the ſame. As alſo to call before them all ſuch other perſons as are able to lend, or

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by their credit to raise Moneys, or furnish Victuall for supply of our Armies in this Kingdome, or in England and Ireland. And to ordain them to lend such summes of Money, and furnish such proportion of Victuall as they shall think fitting, upon assurance of repayment from the Publick, out of the Arrears due to the Armies in England or Ireland, out of the Excise, or out of the readiest of Malignants Lands and Rents, or forth of the readiest Moneys and Rents, or other publick dues whatsoever, pertaining, or that shall appertaine to the Publick, according to the Acts and Practice of the Convention of Estates already in Force in severall parts of the Kingdom. And that they give their best concurrence for the raising and ingaging of the Taxt, Loane, and Excise in these bounds. And als with power to them to give orders for bringing forth of the Forces, Horse and Foot, appointed to be brought forth of these Northern Shires, and to see them punctually done, and all other Acts of the Parliament, or Convention of Estates, or their Committees, to be put to due execution. And suchlike with power to them to demolish and raze the Houses, Castles, Towers, and Forts of the prime Rebels of the said Rebellion, whose names and houses are hereafter expressed in manner underwritten, viz. The houses of Auchindoun, Kellie, Geight, Drymmin, Tippertie, Schethin, Leggatsden, Craig of Auchindor, Whitehouse of Birse, the Tower of Drum, Cairnburroe, Craighouse in Rosse, Buckie, Whitehouse of Cromar, and Logie, Aboyne, or such like houses as they shall think fitting, unlesse the owners and friends thereof shall finde sufficient caution, under such great pains as the said Committee shall think fit, that the saids houses shall not be an receptacle for the enemy against the Country. And suchlike with power to the said Committee, to dis-arme the whole Rebels, Malignants, and suspect persons within the Sheriffdomes foresaids, and to put their Armes in some sure place, to be delivered to the wel-affected, as necessity shall require, and as the said Committee shall think fitting. And for the better execution of the Law against the saids Delinquents and Rebels; The saids Estates of Parliament nominates and appoints the said Committee of Estates, to be Justices in that part by commission, within the whole bounds above-mentioned; Giving to them full power to set, affix, affirme, hold, and continue Justice Courts within whatsoever parts of the saids bounds als oft as need be, Tresspassers and Malefactors to punish according to the nature of their crimes and transgressions, either by death, or by fining, confining, or such other inferiour censure, as they shall think expedient for the good of the said service; Or if they shall think meet, to remit the Criminals, or persons criminally guilty, to the Estates of Parliament or their Committees at Edinburgh, or to the Justice Generall and Justice Deputes, or otherwise to dispose of the saids Rebels, Malignants, and Delinquents, as they shall think meet, or as they may best do with conveniencie, assises of persons least suspect, to cause be lawfully summoned, elected, and sworne, and to minister Justice untill the finall end thereof. And generally with power to them, to doe

every thing for the better ſuppreſſing of the Rebellion in the North, purſuing the actors therein, their aſſiſters, reſetters, and all other declared enemies to the Kingdome, and exterminion of them, and for ſecuring the peace of theſe bounds in time-coming, for providing of Victuall and Money for our Armies, and for doing every thing they ſhall finde conducing to the ſervice and furtherance of this Cauſe, wherein this Kirk and Kingdome are ingaged, als fully and freely as the Eſtates of Parliament or Convention of Eſtates might do themſelves; they being alwayes comptable for their proceedings to the Parliament, Convention of Eſtates, or their Committees *reſpectivè*. Commanding hereby all Officers, Souldiers, Committees of Warre, and others his Majeſties Subjects to Burgh and Land, of what eſtate and quality ſoever they be of, To reverence, acknowledge, and obey the ſaid Committee and their orders, and to do nothing to the hinder and prejudice thereof, as they will be anſwerable: And this Commiſſion is to endure untill the next Seſſion of Parliament. And to the effect the Decreets, Acts, Orders, and Determinations of the ſaid Committee, may receive the more ready and reall execution; The Eſtates ordains generall Letters of Horning and Arreſtment, to be raiſed and ſigned here at Edinburgh, and delivered preſently to the Clerk of this Committee. And ordains Meſſengers of Arms to put theſe Letters to execution, upon precept or warrant from the ſaid Committee, ſubſcribed by the Preſident thereof, according as ſhall be appointed by the ſaid Committee, and conforme to the ſaids warrants and precepts to bee given to them, and for obedience and fulfilling thereof, or payment of the ſums *reſpectivè*, to be contained in the ſamine precepts and warrants.

ACT X.

Act and Ratification in favours of the Natives, anent the Coale.

20. *July* 1644.

FOrſameikle as the Lords of Privie Councell, by their Act and Decreet given the nineteenth of October 1643. in favours of the free Royall Burrows, againſt all and whole the Heritors of the Coal-heughes, on both ſides of the water of Forth, and others within this Kingdome, by vertue of their former Act, dated in December 1620. As alſo by another Act dated in April thereafter: As likewiſe by their other Act, dated the 29. November the ſaid year, 1621. The ſaids Lords did ordain every one of the ſaids Heritours, and Maſters of Coal-heughs, To ſell their Coales at the prices and meaſure *reſpectivè* therein contained: And did ordain and command the whole Coal-maſters of this Kingdome, to preferre

Natives

Natives coming to them for Coal, to whatſomever Strangers: and not to poſtpone or delay them upon whatſomever pretext, colour, or bargain made with the ſaids Strangers, and to ſerve them at the prices and meaſures contained in the ſamine Decreet; under the pain of an hundred pounds, to be payed to the partie wronged, either by heighting the prices, altering the meaſure, or delaying and poſtponing them to Strangers: And that by the contraveeners *toties quoties*, conforme to the ſaid Act of Councell, and Proclamation thereof on the 29. of November 1621. And farther under the pain to be altogether reſtrained from tranſporting any Coal at all, and alſo cenſured in their perſons & goods, at the arbitriment of the ſaids Lords of Councel, as the ſaid Act and decreet of the date foreſaid at more length bears. Likeas the ſaids Lords by an other Decreet given and pronounced by them the 9. November 1643. in favours of the Commiſsioners of the Royall Burrows, againſt divers of the ſaids Heritors on both ſides of the ſaid water of Forth, they did ordain them to ſell their Coal at the prices and meaſure *reſpective* therein contained: And that the ſamine prices and meaſures ſhould ſtand onely to Whitſunday now laſt bypaſt, and aye and while the ſaids Lords of Councell took farther order thereanent, and the Burrowes to be warned anent the ſamine: and that under the pain of the foreſaid an hundred pounds, and abſolute diſcharge of tranſportation of Coal at all, as the ſaid Decreet of the date foreſaid at more length proports. As alſo the ſaids Lords of Privie Councell, by their other Decreet, given on the ſaid 9. November 1643. in favours of the ſaids Commiſsioners of the free Royall Burrowes, againſt divers and ſundry Heritors, and Maſters of Coalheughes within the Sheriffdomes of Lowthian, & Stirling, diſcharge the ſaids Heritors and Coal-maſters, to ſell any of their Coale to be tranſported out of the Kingdome, under the paines contained in the Acts of Parliament; But to ſell their Coales to Natives, at the prices and meaſure formerly received by them thir ſeven yeares bygone, for the reaſons and cauſes therein contained, as the ſaid Decreet of the date foreſaid at more length beares. Which Acts and Decreets being ſeen and conſidered by the ſaids three Eſtates preſently conveened in Parliament, and underſtanding that the ſaids Acts and Ordinances has not taken ſufficient effect; ſo that the Natives of this Countrey doth as yet greatumly ſuffer in default of the ſaids Coal-maſters; Therefore the ſaids Eſtates ratifies and approves the foreſaids three Acts and Decreets of the ſaids Lords of Privie Councell, in the whole Heads, Articles and Clauſes thereof, and interpones their authority thereto, and ordaines the ſamine to ſtand and bee obeyed by the ſaids Coal-maſters, their Coal-grieves, and Coalyars, under the paines therein contained; aye and while the Lords of Secret Councel, or Committee of Eſtates take farther order thereanent: The Coal-maſters and Burrows being lawfully warned for that effect. And becauſe the foreſaids Acts of Councell would appear to bee conceived onely in favours of Burghes Royall, at whoſe inſtance the ſaids Coal-maſters were cited, albeit

the whole Natives and In-dwellers within this Kingdom, has the like reaſon of complaint and exigence of Coal; Therefore the Eſtates of this preſent Parliament, ſtatutes and ordaines the whole Coal-maſters within this Kingdome, to readily anſwer and obey all the Natives of this Kingdome, as they, their Coal-grieves, or Coalyars ſhall be deſired from time to time; not onely with great burning-Coales for uſe of their Houſes and brewing, but alſo with ſmall Coales, for burning of Lyme, ſerving of their Smiddies, or any other uſe needfull; and that at ſuch prices, and with ſuch meaſure as the ſaids Coal-maſters, Coal grieves, and Coalyars has been in uſe to ſell the ſamine theſe ſeven years by-gone: And that the ſaids Natives bee preferred to any Stranger or Forreiner from time to time, as the ſaids Natives from Land or Burgh ſhall deſire themſelves to bee furniſhed with Coales, for the uſe within this Kingdome, under the paines and penalties contained in the ſaids Acts of Councell made anent Coales. and alſo under the paine of forfeiting of their Liberty of ſelling or tranſporting at any time thereafter of their Coales by Sea, after they ſhall be found to have refuſed any of the Native Subjects of this Kingdome, deſiring to be ſerved with Coales, for their owne, or others of his Majeſties Lieges their uſe within this Kingdom, in manner as ſaid is. And for the better execution of the ſaids Acts, The Eſtates of this preſent Parliament grants and gives full power and Commiſſion to *George Dundas* of that Ilk, *William Drummond* of Riccartoun, Sir *Robert Drummond* of Meidop, Maſter *George Dundas* of Mainer, and *George Bell* Proveſt of Linlithgow, to put the foreſaids Acts to execution, for the bounds be-Weſt the Queens-Ferry, up to Stirling, upon the South-ſide of the water of Forth. And to Sir *Wauchope* of Nidrie Knight, Maſter *George Winrahame* of Libbertoun, Maſter *John Cant* of Comerſtoun, Maſter *Samuel Johnſtoun* of Sheines, and *Edward Edgar* Burgeſſe of Edinburgh, to put the ſamine Acts to execution for the whole bounds of the Sheriffdome of Edinburgh principall, and to Sir *Patrick Hepburne* of Wauchtoun, *Patrick Cockburne* of Clerkingtoun, Maſter *John Hepburne* of Smeitoun, *Patrick Inglis* of Elvingſtoun, and *John Cockburne* Proveſt of Hadingtoun, to put the foreſaids Acts to execution, for the bounds of Eaſt-Lowthian. *Item*, to *William Monteith* of Randiefurd, *Thomas Bruce* Proveſt of Stirling, Sir *John Erskein* of Balgonie, *Robert Dempſter* of Babowgie, and *James Reid* Proveſt of Dumfermeling, to put the ſaids Acts to execution for the North ſide of Forth be-Weſt the Queenes-Ferry. *Item*, to Sir *Michael Balfoure* of Deanmylne, Maſter *Aytoun* of Inchederny, Maſter *James Schonar* of Caskieberrian, *George Gairne* Burgeſſe of Bruntiland, *James Law* Burgeſſe of Kirkaldie, Sir *Andro Skein* of Halyards, and Maſter *Robert Cuninghame* in Kinghorne, to put the ſaids Acts to execution for the bounds of the Northſide of the water of Forth, be-Eaſt the Queenes-Ferry, to the Coal-heugh of Durie *inclusivè*. And to Sir *James Monypenny* of Pitmille, *George Hay* of Nauchtoun, *John Beatoun* of Balfoure, and *James Lentroun* Burgeſſe of S. Andrewes, and *George Jamiſon* Proveſt of Cowpar, to put the ſaids Acts to execution

on for the whole remanent bounds on the North ſide of Forth, be Eaſt the Coal-heugh of Durie. And the Eſtates ordaines the fore-named perſons above-named, or any two of them, as ane *Quorum*, within every one of the ſeverall bounds *reſpectivè* above-deſigned, committed to them, as ſaid is, to uſe their beſt diligence for putting of this preſent Act, and of the Acts above-mentioned hereby ratified, to due and timeous execution; and that every Coal-maſter bear their own proportion for ſerving the Natives, conforme to the ſaids Acts. And for this effect ordaines one of the Commiſſioners for ilke ane of the ſeverall bounds above-ſpecified, to viſit every week once, the whole Harberies within the bounds *reſpectivè* foreſaids aſſigned to them, and to cauſe the Natives be readily ſerved, conforme to the foreſaids Acts. With power alſo to the ſaids Commiſſioners, and their *Quorum* foreſaid, to appoint their diets and places of meetings within their bounds *reſpectivè* before rehearſed, as they ſhall think fit, for the better and more exact putting to execution of the ſaids Acts and Ordinance hereof. And upon the complaint of any party grieved, to conveene the ſaids Coal-maſters, Coal-grieves, and Coalyars before them, or their *Quorum* within their ſeverall bounds; and after tryall, to inflict and up-lift from the perſons found guilty, all ſuch unlawes, penalties, and Fines, as are appointed by the foreſaids Acts, to bee incurred by theſe who tranſgreſſe the ſamine, to be applyed for the uſe of the complainers, provers of their complaints, whereupon the ſaids unlawes and penalties are to be exacted. And the Eſtates declares the ſaids Coal-maſters, Coal-grieves, and Coalyars, to be ſubject and lyable to the juriſdiction and ſentence of the foreſaids Commiſſioners, or their *Quorum*, within the ſeverall bounds *reſpectivè* above-ſpecified, and to the execution of the ſamine ſentence, ſua far as concernes the putting of the foreſaids Acts of Secret Councell, with this preſent Act of ratificaton thereof, and Commiſſion above-ſpecified, with the power hereby granted, to due and exact execution, to the effect before rehearſed. And ordains Letters, and all execution needfull, to bee direct for charging the ſaids Commiſſioners, and ilke ane of them, to accept this Commiſſion for the ſeverall bounds before-deſigned, and to do their exact diligence in putting of the ſamine to execution, in manner before preſcribed, as they will bee anſwerable to the Parliament, Convention of Eſtates, or their Committees; and to be cenſured as the ſaids Eſtates of Parliament, Convention of Eſtates, or their Committees ſhall finde their faults, over-ſights, and ſlackneſſe to deſerve cenſure. As alſo ordaines Letters, and all other execution needfull, to paſſe and be direct upon all ſentences, to be pronounced by the ſaids Commiſsioners, or their *Quorum*, in form as effeirs.

ACT XI.

Declaration and Act anent the Duke of Hammiltoun his impriſonment.

22. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in *Anno* 1641. Taking to their conſideration the Fundamentall Laws, Liberties, and Independencie of this Kingdome, and the practice of former times, which doth require, That all Natives and Inhabitants accuſed for committing crimes in this Kingdome, or againſt the King or Kingdome, ſhould be tryed and judged in a legall way by the ordinary Judicatories of this Land: And conſidering the preſent impriſonment of *James* Duke of Hammiltoun, a Native and Eminent Peere of this Kingdome, and his ſo long reſtraint, upon pretence of Crimes alledged to have been committed by him in this Kingdome, or againſt the Kings Majeſtie, or the Kingdome, without the leaſt ſignification or intimation to the Kingdome, or Judicatories thereof: They cannot ſo farre forget the Publick intereſt, and juſt libertie of the Subjects (which they are obliged to maintaine) as not to be ſenſible of the wrong done to his Majeſties honour and this Nation thereby in its freedome and priviledges. And likewayes conſidering the dangerous preparative to them and their poſterity, which may enſue thereupon if they ſhould paſſe this over in ſilence: Therefore the ſaids Eſtates of Parliament do declare, That if his Majeſtie be informed of any ſuch Challenge againſt the ſaid Duke, as deſerves that hee ſhould be put to tryall, that he ought to be returned to this Kingdome here to abide his tryall, according to Law and Juſtice: And if there bee any Crimes alledged againſt him, for which he is anſwerable as a Peer of England; That he be there tryed in a Parliamentarie way, according to the Laws of that Kingdome. Otherwayes they are confident, That his Majeſtie wil, upon better conſideration, be graciouſly pleaſed, according to his accuſtomed Juſtice, to cauſe the ſaid Duke forthwith to be ſet at liberty, and thereby preſerve the Liberties of this Kingdome; As he hes done to others whoſe perſons upon ſiniſter informations hath formerly been reſtrained. But if the evil counſels of ſuch as are enemies to his Majeſties honour, and the publick libertie of this his Majeſties ancient and Native Kingdom ſhall ſo far prevail, as that the perſon of the ſaid Duke be detained any longer, or he proceeded againſt forth of this Kingdome of Scotland: The Eſtates of Parliament declares, The juſt priviledges of this Kingdome, and freedome and liberty of the Subject, to be thereby infringed and violate, and

and all courſes and proceedour to the contrary hereof, to be unwarrantable and illegall; and that this Kingdome will reſent the ſame as a Nationall wrong. And withall, declares all ſuch perſons of this Kingdome, as by their actions, counſels, plots, advice, or aſſiſtance, are, or ſhall be any wayes acceſſorie thereto, or any ſuch impriſonment, reſtraint, and detention of any Peer or free born Subject of this Kingdome, without re-manding them to abide the tryall in the lawfull Judicatories of this Kingdome; To be enemies to the Kings Honour, the lawfull priviledges of this Kingdome, and the juſt liberty of the Subject, and that they ſhall be puniſhed accordingly: And if they be Natives of the Kingdome of England, they will earneſtly deſire the Honourable Court of Parliament there to doe Juſtice upon them, as they will be ready in the like caſes to render to the Subjects of that Kingdome.

ACT XII.

Act anent the Ratification of the Articles of Treatie concerning the ordering of the Warre in Ireland.

23. *July* 1644.

FOrſameikle as the Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in *An.* 1641. Having read, heard, and conſidered the Articles of the Treatie concerning the reducing of the Kingdome of Ireland to the obedience of the Kings Majeſtie and Crowne of England, agreed upon betwixt the Commiſſioners for Scotland authorized by his Majeſtie and the Parliament of that Kingdome, and the Commiſſioners for England authorized by his Majeſtie and the Parliament of England; Together alſo with the Votes of both Houſes of the Parliament of England paſt upon the foreſaids Articles, and agreeing thereunto upon the eleventh of July 1642. The ſaids Eſtates of Parliament of Scotland ratifies and approves the foreſaids Articles of the Treatie above-mentioned, and does hereby agree and aſſent thereto, and to the Votes of both Houſes of Parliament of England paſt thereupon, and holds the ſame as ingroſt and inſert hereintill; And ordaines the ſaids Articles of the Treatie, and the Votes of both Houſes of Parliament of England, to be recorded and regiſtrate with this preſent Act in the Bookes and Records of Parliament: Whereof the tenor followes.

Articles of the Treatie concerning the reducing of the Kingdome of Ireland to the obedience of the Kings Majeſtie and Crowne of England, agreed upon betwixt the Commiſsioners for Scotland authorized by his Majeſtie and the Parliament of that Kingdome, and the Commiſsioners for England authorized by his Majeſtie and the Parliament of that Kingdome at Weſtminſter.

I. THe Scottiſh Commiſſioners out of the ſence of that duty which the Kingdome of Scotland owes to his Majeſtie, and the true affection they beare towards the Kingdome of England, being willing to contribute their beſt aſſiſtance for the ſpeedy reliefe of thoſe diſtreſſed parts in Ireland which lye neareſt to the Kingdome of Scotland, Have in the name of that Kingdome made offer of Ten thouſand men to be imployed in that Service: And for a further teſtimony of their zeal to his Majeſties Service, and brotherly reſpect to the Kingdome of England, Have declared that the Kingdome of Scotland will upon their owne charge Leavie and tranſport theſe men.

II. Becauſe the Kingdome of Scotland are to ſend over with their Armie the number of Six thouſand Muskets, and Foure thouſand Picks, with ſuch Cannon and Ammunition as ſhall be fitting for the Service, It is agreed, that Four thouſand Muskets and Two thouſand Pickes ſhall be preſently ſent by the Kingdome of England into the Kingdome of Scotland, and delivered at Leith: As alſo that the reſidue of the ſaids Ten thouſand Arms, and Ten thouſand Swords and Belts ſhall be delivered there at the firſt of Auguſt next; and that als many Cannon and Field-Peeces of the ſame Bore, Weight, and Mettle, ſhall be carried into Scotland, upon their demand, as they ſhall tranſport into Ireland for the Service of that Kingdome: And that the ſaids whole Arms and Ammunition ſhall remain in Scotland, untill the returne of the Scottiſh Armie from Ireland, at which time the ſamine ſhall be reſtored to the Kingdome of England, the Kingdome of Scotland receiving ſatisfaction for ſuch of their Armes and Ammunition as ſhall be ſpent or loſt in the Service of Ireland: As alſo that there ſhall be preſently ſent over from England and delivered to the Scottiſh Armie in Ireland, for the defence of the Province of Ulſter, Six Peeces of Demi-Cannon of the Ball of Foure and twenty pound weight with their equipage.

III. It is agreed, That there ſhall be two Ships of Warre preſently ſent by the Kingdome of England to Lochryan, Lamalaſh, Port-Patrick, or Air, to guard and waught over the Scottiſh Souldiers; And that the ſaid Ships ſhall attend at the Ports in Ireland for ſerving the Scottiſh Armie in going and returning betwixt the Coaſts, and keeping the Paſſages cleare, as they ſhall receive orders from the chiefe Commanders of the Scottiſh Armie for the time being, according to Inſtructions received or to be received by the Maſters of theſe Ships,

Ships, from the Lord Admirall, or Commiſſioners of the Admiralty for the time being to that purpoſe.

IV. It is agreed, That there ſhall be leavied and furniſhed by the Kingdome of England Ten Troops of ſufficient and well-armed Horſe-men, conſiſting of Sixtie in a Troope, beſides the Officers: and that there ſhall be a Commiſſary Generall, a Serjeant-Major, and a Quarter-Maſter appointed over them, which ſhall joyne and remain with the Bodie of the Scottiſh Foot, and ſhall receive and obey the Orders and Inſtructions of the Commanders of the Scottiſh Armie: and that there ſhall be preſently advanced the ſumme of Twelve hundred pound ſterline for the leavying of a Troop of an Hundred Horſemen in Scotland, beſides the Officers to be a guard to the Generall of the Scottiſh Armie.

V. It is agreed, That the Commanders and Souldiers of the Scottiſh Armie ſhall have ſuch pay reſpectively as the Commanders and Souldiers of the Engliſh Armie have, according to ane Liſt preſently agreed upon by the Commiſſioners of both Kingdomes: as alſo that the Officers of that Armie ſhall have ſuch allowance for their Waggons as is contained in the ſaid Liſt.

VI. It is agreed, That the Townes and Caſtle of Carrickfergus and Colrayne ſhall be put into the hands of the Scottiſh Armie, to be places for their Magaziens and Garriſons, and to ſerve them for Retreat upon occaſions; and that the Magiſtrates and Inhabitants thereof ſhall be ordained to carry themſelves to the Commanders of the ſaid Armie as is fitting and ordinary in ſuch caſes: and that the ſaids Townes and Caſtle ſhall remaine in the Scottiſh hands untill the War ſhall end, or that they ſhall be diſcharged of that Service. Likeas the Commiſſioners for the Kingdome of Scotland do promiſe, in the publike Faith of that Kingdome, to re-deliver the ſaids Townes and Caſtle to any having Commiſſion from the King and Parliament of England. As alſo the Commiſſioners for the Kingdome of England do promiſe, in the name and on the publike Faith of that Kingdome, That payment ſhall be made to the Kingdome of Scotland and their Armie, of all dues that ſhall ariſe upon this preſent Treatie: And that when the Scottiſh Armie imployed in the Service of Ireland ſhall be diſcharged, They ſhall be disbanded by Regiments, and no leſſer proportions, and ſo many of them payed off as ſhall be disbanded: and the reſidue kept in pay till they be disbanded.

VII. It is agreed, That the Townes of Carrickfergus and Colrayne, ſhall by the Kingdome of England be, with all expedition, provided with Victuals neceſſary for Souldiers, either in Garriſons or Expeditions, according to ane Liſt to be agreed on and ſubſcribed by the Commiſſioners of both Kingdomes: And that ſuch quantities thereof as the Scottiſh Armie ſhall have occaſion to uſe, ſhall be ſold unto them, and bought by them at the ſeverall prices contained in the aforeſaid Liſt. And alſo that the ſaids Townes of Carrickfergus and Colrayne ſhall be provided by the Kingdome of England, with Powder, Ball, Match, and other Ammunition, for the Service of the ſaid

Armie,

Armie, conform to the particular Liſt to be condiſcended unto by both Commiſſioners: and that Carts and Waggons ſhall be provided by the Kingdom of England for carrying of Ammunition, for the uſe of the ſaid Armie in Marches: as alſo, that there ſhall be Gun-Smithes, Carpenters, and one or two Engineers appointed to attend the Armie; and that hand-Milnes ſhall be provided to ſerve the Companies in Marches.

VIII. It is agreed, That the Kingdome of England, ſhall depoſite Two thouſand pounds Engliſh Money, in the hands of any, to be appointed by the Scottiſh Commiſſioners, to be deburſed upon accompt by warrant of the Generall of their Armie, upon Fortifications, Intelligences, and other Incidents; So that there bee not above the ſumme of Two thouſand pound in a yeare impreſted upon theſe occaſions, without particular and ſpeciall warrant from the Parliament of England. As alſo, that there ſhall be depoſited Two thouſand and five hundreth pound Engliſh to be disburſed upon accompt, for the providing of Ane thouſand Horſe, for the carrying of the Artillerie, the Baggage, and Victuall of their Army, and for Dragrooners upon occaſion. And likewiſe, that the Scottiſh Army, during the time of the Warre, ſhall have power to take up ſuch Horſes in the Countrey, as be neceſſary for the uſes aforeſaids.

IX. It is agreed, That the Inhabitants of the Towns and Villages of the Province of Ulſter, and in any other Province of Ireland, the Scottiſh Army ſhall be by it ſelf for the time, ſhall receive orders from the Scottiſh Commanders, and ſhall bring in Victuals for money in an orderly way; as ſhall be directed by them, with proviſion of Oates, Hay, and Straw, and ſuch others neceſſars; And that the Countrey People ſhall riſe and concurre with the Scottiſh Troupes, when the Commanders thereof ſhall finde it for the good of the Service, and ſhall receive orders and directions from the ſaids Commanders of the Scottiſh Army.

X. It is agreed, That the ſaid Ten thouſand men, to be ſent out of the Kingdome of Scotland, ſhall goe in the way and order of an Army under their owne Generall, and ſubalterne Officers; And the Province of Ulſter is appointed unto them, wherein they ſhall firſt proſecute the Warre, as in their judgement they ſhall think moſt expedient for the honour of the King, and Crowne of England: And that the Commanders of the ſaid Army ſhall have power to give Conditions to Townes, Caſtles, and Perſons, which ſhall render and ſubmit themſelves, as ſhall be moſt expedient for the ſervice, according to the courſe of Warre; Provided no toleration of the Popiſh Religion be granted, nor any condition made touching or concerning any of the Rebels Lands; And that the Commanders of the Scottiſh Army ſhall be anſwerable for their whole deportment and proceedings to his Majeſtie and the two Houſes of the Parliament of England onely, but ſhal from time to time give an account thereof to his Majeſtie, the two Houſes of the Parliament of England, and to the chief Governour or Governours of Ireland for the time being. That ſuch Townes and Places

Places as ſhall be recovered from the Rebels by the Scottiſh Army, ſhall be at the diſpoſing of the Commanders thereof, during their abode for that Service in thoſe parts where ſuch Townes and Places are. And if it ſhall be found for the good of the Service, that the Scottiſh Army ſhall joyne with the Kings Lieutenant of Ireland, and his Army; In that caſe the Generall of the Scottiſh Army ſhall onely cede to the Kings Lieutenant of Ireland, and receive in a free and honourable way Inſtructions from him, or in his abſence from the Lord Deputy, or any other who ſhall have the chiefe Government of that Kingdome for the time, by authority derived from the Crowne of England, and ſhall precede all others; And that he onely ſhall give Orders to the Officers of his owne Army; And that the Armies ſhall have the Right and Left Hand, Vanne and Reare, Charge and Retreat ſucceſſively, and ſhall not mixe in Quarterings nor Marchings. And when it ſhall be found fit to ſend Troups out of either Army, that the Perſons to be ſent out of the Scottiſh Army, ſhall be commanded out by their owne Generall, the Lieutenant of Ireland preſcribing the number, which ſhall not exceed the fourth part of the whole Foot of the Scottiſh Army, nor of the Horſe appointed to joyne therewith, whereunto they ſhall returne when the Service is done; And that no Officer of the Scottiſh Army ſhall be commanded by one of his own qualitie; And if the Commanders of the Troups ſo ſent out of either Army be of one quality, that they command the Party by turnes. And it is nevertheleſſe provided, That the whole Scottiſh Army may be called out of the Province of Ulſter, and the Horſes appointed to joyne with them, by his Majeſties Lieutenant of Ireland, or other chiefe Governour or Governours of that Kingdome for the time, if he or they ſhall think fit, before the Rebellion be totally ſuppreſſed therein.

XI. It is agreed, That the Scottiſh Army ſhall be entertained by the Engliſh for three moneths, from the twentieth of June laſt, and ſo long after untill they bee diſcharged: And that they ſhall have a moneths pay advanced when they are firſt muſtered in Ireland, and thereafter ſhall bee duely payed from Moneth to Moneth; and that there ſhall be a Muſter-maſter appointed by the Engliſh Muſter-maſter Generall to make ſtrict and frequent Muſters of the Scottiſh Army; And that what Companies of men ſhall bee ſent out of Scotland within the compaſſe of the Ten thouſand men, ſhall be payed upon their Muſters in Ireland, although they make not up complete Regiments.

XII. It is agreed, That the Scottiſh Army ſhall receive their diſcharge from the King and Parliament of England, or from ſuch perſons as ſhall be appointed and authorized by his Majeſtie and both Houſes of Parliament for that purpoſe; and that there ſhall bee a Moneths warning before-hand of their diſ-banding, which ſaid diſcharge and Moneths warning ſhall be made knowne by his Majeſtie and them to the Councell of Scotland, or the Lord Chancellour, a Moneth before the diſcharging thereof; And that the common Souldiers

diers of the Scottish at their dismission shall be allowed Fouretene dayes pay for carrying of them home.

XIII. It is provided and agreed, That at any time after the three Moneths now agreed upon for the entertainment of the Scottish Army shall be expired, and that the two Houses of Parliament, or such Persons as shall be authorized by them, shall give notice to the Councell of Scotland, or to the Lord Chancellour there, that after one Moneth from such notice given, the said two Houses of Parliament will not pay the said Scottish Army, now in Ireland, any longer; then the said two Houses of Parliament shall not be obliged to pay the said Army any longer then during the said Moneth: Any thing in this Treaty contained to the contrary notwithstanding.

Jo. Browne Cler. Parl. H. Elsynge Cler. Parl. D. Com.

Die Iovis 7. Iulii 1642.

The ingrossed Articles of the Scottish Treatie were this day read, and by Vote upon the Question assented unto, and Ordered to be sent up unto the Lords by Sir William Armin, *who went accordingly with the same.*

H. Elsynge Cler. Parl. D. Com.

Die Iovis 7. Iulii 1642.

Ordered by the Lords in Parliament, That this House agrees with the House of Commons in this Result of the Treatie ingrossed, concerning the sending of the Ten thousand Scots into Ireland.

Jo. Browne Cler. Parl.

ACT XIII.

Commission for the Thesaurarie, to the Earle of Lindesay.

23. *July* 1644.

THe Estates of Parliament now presently conveened, by vertue of the last Act of the last Parliament holden by his Majestie and the three Estates, in *Anno* 1641. Taking to their consideration, that in the last Parliament there was ane Commission granted for the Thesaurarie to Five, his Majestie for that time not being resolved upon the nomination of any particular person, to endure to the next ensuing Parliament, and that the said Commission doth now expire at the beginning of this present Parliament, whereby his Majesties service, and the good of the Lieges would

would be greatly prejudiced, if the ſaid Office and Place of Theſaurarie were not filled: And therewith alſo conſidering, that it is more advantageous for his Majeſties ſervice, and the good of the Subjects, that one Perſon ſhould exerce the ſaid place, then many: And having good proof and aſſurance of the merit, ability and ſufficiencie of *John* Earle of Lindeſay, &c. one of the five formerly nominate by his Majeſtie for that place: Therefore the ſaids Eſtates of Parliament makes and conſtitutes the ſaid *John* Earle of Lindeſay Commiſſioner for the Theſaurarie, Controllorie, Collectorie, and Theſaurarie of his Majeſties new augmentations within this Kingdome, Giving and granting to him all Liberties, Priviledges, Immunities, Benefites, and Emoluments whatſoever, pertaining to the ſaid Place of High Theſaurer, Comptroller, Collector, and Theſaurer of his Majeſties new augmentations, in als ample manner and quality as the ſamine was in the perſon of any of his Majeſties High Theſaurers in any time of before: With power to him to up-lift, gather, and intromet with all and ſundrie his Majeſties Rents, Revenues, Cuſtomes, Impoſts, Caſualities, Commodities, Duties, and others whatſoever any wayes belonging to his Majeſtie within this Kingdome, or to his Majeſties deareſt ſon the Prince, and that of all yeares and tearmes bygone, unpayed to former Theſaurer or Commiſsioners, and yearly in time coming, during the time of this preſent Commiſsion: With power to him, with advice of the Commiſsioners of Exchequer, and *Quorum* thereof, conforme to the tenour of the ſame, To compone, paſſe, and ſubſcribe Signators, Gifts, Confirmations, Eſcheits, Life-rents, Remiſsions, Tutories, Gifts by forfeiture, Recognition, Wards, Marriages, Relief, Non-entreſſes, Legitimations, Preſentations, Taks, Rentalls, Licences, Diſpenſations, & others Diſpoſitions, Writs, & Securities whatſoever pertaining to the ſaids Offices, or any of them, or to the power and priviledges thereof; But prejudice alwayes to Sir *James Carmichael* of that Ilk, Knight, Theſaurer Depute, of his Gifts of his Office foreſaid, and whole Liberties, Power, and Priviledges belonging to the ſame, which are holden as herein expreſt, & without adding or pairing thereanent. And ordaines the Lords of his Majeſties Privie Councel, Seſsion, or Exchequer, To grant and direct Letters at the inſtance of the ſaid *John* Earle of Lindeſay, Commiſsioner foreſaid, for anſwering and obeying him, his Chamberlaines, under-Receivers, and Officers of all and ſundry his Majeſties Rents, Caſualities, Cuſtomes, Impoſts, and Duties whatſomever belonging to the ſaid Office; and that enduring the time of the preſent Commiſsion, which is to endure untill the next Trienniall Parliament, or longer, incaſe it ſhall pleaſe his Majeſtie and Eſtates of Parliament to continue the ſame; But prejudice alwayes to the ſaid Sir *James Carmichael*, Theſaurer Depute, of his gifts of his Office foreſaid, and whole Liberties, Power, and Priviledges belonging to the ſame, which are holden as herein expreſt, and without adding or pairing thereanent, as ſaid is.

ACT XIIII.

Act discharging Execution of Captions for debt upon the Lords Day, or upon Fasts, &c. Commanding Warnings, &c. to bee read after the blessing, and extending the Acts made against profanation of the Sabbath.

23. *July* 1644.

THe Estates of Parliament presently conveened, by vertue of the last Act of the last Parliament, holden by his Majesty and three Estates, in *Anno* 1641. For the better observation of the Lords Day, and of other dayes set apart for his solemne worship, discharges all execution of Letters of Caption, raised for civill debts, in any time of the Lords Day, or upon ordinary week dayes, appointed for solemne Fasts or Thanksgivings, during the time of divine service: And suchlike discharges all Warnings, Inhibitions, Requisitions, or other Letters to be read at the Kirk doore before the first Sermon; and ordaines the same to be read hereafter, immediatly after the Minister hath concluded the Exercise, and said the Blessing, whereby the Congregation at the dissolving, may more commodiously heare, and the worship of God will not be interrupted. And als declares, That all Acts made against Salmond-fishing, or any other labour on the Lords Day, to be not only against Servants, who do actually work, but also the famine shal be extended against Masters, whose hired Servants they are, if the Servants working be either of the Masters knowledge, or with their approbation or connivence. And farther, the Estates doe hereby declare and ordaine, That all Acts of Parliament made against profanation of the Lords Day, be extended to ordinary week dayes, appointed for solemne Fasts and Thanksgivings, during the time of divine service upon the famine.

ACT

ACT XV.

Act anent Divorce for Adultery.

23. July 1644.

FOrſameikle as the Eſtates preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in *Anno* 1641. Conſidering that ſentence of Divorcement cannot be obtained before the Commiſſars, except upon probation of the fact of Adultery, *per teſtes ſcientes & videntes*, which kinde of probation is in ſome caſes impoſſible, whereby many innocent parties ſuffer great prejudice. Therefore the ſaids Eſtates of Parliament declares, That in all times hereafter, ſentences of Divorce ſhall be given upon probation of the fact of Adulterie by witneſſes, in manner foreſaid; Or upon probation of Bigamie, or upon probation that Bairns ane or moe are procreate in Adultery, or upon probation that perſons under ſcandall of Adultery keep frequent company and bed together. And ordains that in any of theſe caſes, ſentences of Divorce be pronounced in favours of the Innocent Partie complainer in all time-coming.

ACT XVI.

Act inhibiting Markets upon Munday.

23. July 1644.

FOrſameikle as the Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in *Anno* 1641. Conſidering that the profanation of the Lords Day, is not onely occaſioned by keeping Markets in the Townes of Edinburgh, Jedburgh, Dumfreis, Brechin, and Glaſgow upon Munday: But alſo by the keeping weekly Markets, both that day, and upon Saturday, in many other parts of this Kingdome: Therefore the ſaids Eſtates of Parliament, diſcharges any weekly Markets to be keeped within any Burgh of this Kingdome hereafter upon Munday or Saturday, and that under the pain of 100. Merks, to be payed by the Burgh contraveening *toties quoties*. And ordains every Burgh that hath not already changed the ſaids Markets-dayes, to appoint ſuch other dayes of the week for keeping their weekly Markets, as themſelves ſhall finde moſt convenient, and after they have condiſ-

cended upon the ſame, that publick intimation be made thereof at the ſeverall Market Croſſes of the next adjacent Burrows and their own, that the ſamine may come to the knowledge of the Kings Lieges. And in reſpect of the change already made, by vertue of an Act of Parliament in the year 1640. in the Burghs of Edinburgh, Jedburgh, Dumfreis, Brechin, and Glaſgow: The ſaids Eſtates do approve the ſaid Act; and ordains, that all Markets which before were weekly kept in the ſaid Burghs upon Munday, to bee kept in Edinburgh, Dumfreis, Brechin, and Glaſgow, upon Wedneſday; and in Jedburgh upon Tueſday, in all time coming.

ACT XVII.

Act diſcharging Patronages belonging to particular Miniſters.

23. *July* 1644.

FOrſameikle as the Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in *Anno* 1641. Conſidering that ſundry Miniſters within this Kirk and Kingdome, pretending by vertue of a title to a benefice, the right of Patronage to ſome particular Kirks, which in the times of Popery were parts or pendicles of theſe benefices, and are yet in uſe of preſentation, which is found by the Kirk to bee no wayes competent to any one Miniſter, but that the providing of theſe Kirks belongs to Presbyteries. Therefore the ſaids Eſtates of Parliament, declares any ſuch pretended Titles or Rights of Patronages, to be null, and of no effect in all time coming: And that Presbyteries in their ſeverall juriſdictions, have the onely power of planting and providing theſe Kirks *proprio jure* in all time hereafter; But prejudice of the intereſt of the Paroches, according to the Acts and Practices of the Kirk ſince the Reformation.

ACT

ACT XVIII.

Act againſt keepers of Taverns, &c. and ſellers of Drink on the Lords Day.

23. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in *Anno* 1641. Conſidering that the great abuſe of Drunkenneſſe doth ſtill continue and increaſe, notwithſtanding of the 20. Act of the 22. Parliament of King *James* 6. of good memory, made againſt Drunkards and haunters in Taverns and Ale-houſes after ten hours at night, or at any time of the day, except in time of Travell, or for ordinary refreſhment: Therefore for the better reſtraint of the ſaid vice of Drunkenneſſe, Ratifie and approve the ſaid Act: And further Declare and Ordain, That not onely Drunkards and haunters in Taverns and Ale-houſes, in manner foreſaid, ſhall be liable to the ſaid Act, but that the ſame in the whole Tenor thereof, ſhall hereafter be extended againſt the keepers of Taverns or Ale houſes, that ſell the Drink unto them.

ACT XIX.

Act declaring the Books of Miniſters ſurviving their Wives, not to fall in their Wives Executorie.

23. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in *Anno* 1641. Finding Miniſters to be much prejudged that their Books in their own life times ſhould fall in their Wives Executorie: Therefore the ſaids Eſtates Liberates and Exeemes all Miniſters ſurviving their Wives from confirming their Books in their Wives Teſtaments, and from giving up Inventar thereof: And Declares their Books no wayes to fall in the Executorie of their Wives whom they ſurvive.

ACT XX.

Act declaring vacant Stipends ſhould be imployed upon Pious uſes.

23. *July* 1644.

THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in *Anno* 1641. Finding that Stipends and Benefices of Kirks now Vaiking, or which hereafter ſhall Vaike, by deceaſe, depoſition, ſuſpenſion, or tranſportation of Miniſters, or by diſ-union of Kirks, or any other wayes, during the vacancie thereof, ſhould bee employed upon Pious uſes; Doe therefore ordaine all Patrons to employ the ſamin, with advice and conſent of their ſeverall Presbyteries, upon Pious uſes within the Pariſh of the vaiking Kirk, or otherwiſe within the bounds of the Presbyterie: With this Declaration onely, that the vacant Benefices or Stipends of Kirkes in the High-Lands ſhall bee employed for training up of Youths that have the Iriſh Tongue, in Schooles and Colledges allanerly, and to no other Pious uſe. And it is alſo declared, That the Stipends and Benefices vaiking by deceaſe, doe no wayes comprehend the Benefit which by the Law and Cuſtome of this Kingdome falleth to the relict Bairnes or Executors of the Miniſter after his deceaſe, and that they are no wayes prejudged by this Act of any Right or Benefit which formerly they could have enjoyed. And where Presbyteries has the power of planting any Kirkes in place of the Patrons thereof, Ordaines theſe Presbyteries, with conſent of the Heritors and Pariſhioners, to imploy the Stipends and Benefices of theſe vacant Kirks, whereof they have the power of planting, as ſaid is, upon Pious uſes, in manner foreſaid.

ACT

ACT XXI.

Ratification of the Act of Convention concerning Preſentations to Kirkes of his Majeſties Patronage.

23 July 1644.

THe Eſtates of Parliament now preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in *Anno* 1641. Ratifie, approve, and confirme an Act of the late Convention of Eſtates concerning Preſentations to vaiking Kirks of his Majeſties Patronage during the Troubles, of the date the ſixth of January 1644. The tenour whereof followeth.

The Convention of Eſtates having this day received an Act of the Commiſsion of the Generall Aſſembly for planting of Kirks of his Majeſties Patronage during the time of theſe troubles, preſented unto them by Maſter Robert Douglas *Moderator, and Maſter* Andrew Ramſay; *And having conſidered the ſamin, and the recommendation therein contained for providing ſome way, by authority of this Convention, for ſettling and poſſeſsing the Intrants in the ſtipends and benefits belonging to theſe Kirks; And finding no way ſo fit for that end, and for preſerving the right and poſſeſsion of the Patronages to his Majeſtie, then that in this time of trouble Preſentations paſſe his Majeſties Caſhet and Privie Seale; which is alike, And is hereby declared to be of as great force and authority, as if the ſamin had paſt his Majeſties Royall Hands, Therefore gives hereby Warrant and Command to the Commiſsioners of the Theſaurarie, or any one of them, to receive Preſentations from Presbyteries to all Kirks of his Majeſties Patronage vaiking, or which hereafter ſhall vaike, during theſe troubles, and to ſigne the ſamin; And ordains the ſamin ſo ſigned, to paſſe his Majeſties Caſhet, and thereafter the Privie Seale, And that all Letters and Executorials neceſſar be direct thereupon, And recommends to the Commiſsioners of the Kirk to intimate this to Presbyteries, that they making choice of fit and well qualified men by conſent of Pariſhes, the Preſentations unto the vaiking Kirks of his Majeſties Patronage, during theſe troubles, may be paſt in the manner aforeſaid; whereupon the Intrants may obtain all Letters and Executorials neceſſar: Which way the Eſtates thinks agreeable to the deſire and intention of the Commiſsioners of the Aſſembly.*

In all and ſundry Heads, Articles, Clauſes, and Conditions thereof in all points; And declares, That all Preſentations, paſt or to be paſt by vertue thereof, with Collation and Inſtitution, and all Letters and Executorials, Sentences, and all and whatſoever other things following thereupon, have beene, are, and ſhall be good, lawfull,

lawfull, ſufficient, and valid Rights to Miniſters for bruiking, poſſeſſing, and uplifting of their Stipends and Benefits, conforme to the Tenour of the ſaids Preſentations; And ordaines the ſaid Act to have the ſtrength and authority of an Act of Parliament, and that Letters and all Executorials neceſſar be direct thereupon in forme as effeires.

ACT XXII.

Act in favours of Miniſters for their Stipends of the Kirk for pecuniall paines, and in favours of Univerſities, Hoſpitals, and Schooles, anent Malignants Rents.

23. *July* 1644.

THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates in *Anno* 1641. Findes and declares, That no ſentence of Forfeiture, or other ſentences whatſoever, given or to bee given againſt Malignants, ſhall prejudge Miniſters in their Stipends, or the Kirk in any pecuniall paines due by Law, nor any Univerſities, Hoſpitalls, or Schooles, of any thing due to them, But that the Intrometters with the Malignants Rents ſhall be liable in payment thereof, ſiclik as the Malignants might have beene themſelves, and that notwithſtanding of any Sentence given or to bee given againſt Malignants, or any thing that may follow thereupon.

ACT XXIII.

Act anent the Universities of S. Andrews, Glasgow, Aberdene, and Edinburgh.

23. July 1644.

THe Estates of Parliament presently conveened, by vertue of the last Act of the last Parliament, holden by his Majesty and three Estates, in *Anno* 1641. years: Considering that by the 23. Act of his Majesties second Parliament, holden at Edinburgh the eleventh day of June, the year of God 1640. years, Intituled, *In favours of those who hold the Lands of Archbishops, Bishops, and other Members of their Chapters*, (whereby in respect they knew not to whom they should pay their yearly Few Duties, and other Few Duties which they were bound to pay of before to the saids Archbishops, Bishops, and others Members of their Chapters, now aboliſhed out of this Church and Kingdome) found and declared that these who by their Infeftments, Taks, and other Rights, are addebted in payment of Few and Tak Duties, are obliged in fulfilling of any other conditions to the saids Archbishops, Bishops, Archdeans, Deans, or other persons Members of their Chapters, now aboliſhed, as said is, should not be in *mora* for not payment of the saids Duties, and not fulfilling of the other conditions of their Rights; and that the clauses irritant of their Infeftments, Taks, and other Rights, should not militate against them, nor yet the certification of the Act of Parliament, for not payment of the saids Duties, and not fulfilling of the saids other clauses, during the intervall of time, from the first of April 1638. nor thereafter in time-coming, while order were taken by the Estates of Parliament, anent the way and manner of payment of the saids Few, and other Duties, notwithstanding of the clauses irritant, contained in their Infeftments, Taks, & other Rights in maner at length specified in the said Act. And now seeing it hath pleased his sacred Matie out of his Princely care & favour, to give & mortifie certain of these Archbishopricks, Bishopricks, Priories, Personages, and other Benefices, to the Universities of S. Andrews, Glasgow, Aberdene, Town and Masters thereof, and to the University and Town of Edinburgh, in manner specified in the severall Gifts and Mortifications made and granted to them thereanent: And that for the better maintenance of the Masters, Professours, and other members of the saids Universities and Colledges, and of the said Burgh and Ministers thereof, for the furtherance of Learning and Piety therein. And so it

is now notorly known to whom theſe who held their Lands, Teinds, and others foreſaids of the ſaids Archbiſhops, and others now aboliſhed, as ſaid is, are lyable in payment. Therefore, and for the better and more ready payment of the ſaids Few-Duties, Teind-Duties, Tak Duties, and others foreſaids, The Eſtates of Parliament declares the foreſaid Act to be expired, and to be voyd and null from this time forth, in all time-coming, and that in ſo far as concernes the ſaids Univerſities and Burghs *reſpectivè* above-named, to the effect that all ſuch perſons as were liable in payment of before to the ſaids Archbiſhops, Biſhops, Deanes, Parſons, and other Members of their Chapters, now aboliſhed, as ſaid is, ſhall and may bee now liable in payment to the ſaids Univerſities and Members thereof, and Burghes, and Miniſters thereof *reſpectivè* foreſaid, conform to their ſeverall Gifts and Mortifications of the ſamine, and that in the ſame forme and manner as they were liable of before to the ſaids Archbiſhops, Biſhops, and other beneficed perſons before their aboliſhing, as ſaid is.

ACT XXIIII.

Act renewing the Commiſſion for plantation of Kirks, and valuation of Teinds.

24. *July* 1644.

THe Eſtates of Parliament preſently conveened by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and the three Eſtates, in *Anno* 1641. Conſidering that by the 30. Act of the laſt Seſsion of the laſt Parliament, there was Commiſsion granted by the Kings Majeſty and Eſtates of Parliament, to the Commiſsioners therein nominate, and *Quorum* thereof contained in the ſaid Act, for plantation of Kirks, and valuation of Teinds, in manner thereby provided: And that *William Rig* of Ethernie, Sir *Thomas Hope* of Kerſe, *Patrick Bell* Burgeſſe of Glaſgow, and *Thomas Durham* Burgeſſe of Perth, foure of the perſons nominate in the ſaid Commiſsion, are now deceaſed; and that *Alexander Gordoun* of Erleſtoun is ſo infirme, that he cannot attend the ſervice: Therefore, and for the furtherance and diſcharge of the ſervice of the ſaid Commiſsion, The Eſtates nominates *Patrick Cockburne* of Clerkingtoun, in place of the ſaid *William Rig* of Ethernie, *Iames Macdowell* of Garthland, in place of the ſaid *Alexander Gordoun* of Erleſtoun, *Iames Stuart* Burgeſſe of Edinburgh in place of the ſaid Umquhile *Thomas Durham*, *Iames Bell* in Glaſgow in place of the ſaid Umquhile *Patrick Bell*, and Sir *John Hope* of Craighall, one of the Senatours of the Colledge of Juſtice, in place of the ſaid Umquhile Sir

Thomas

Thomas Hope of Kerſe, and eikis them to the foreſaid Commiſsion in place of the ſaidsperſons ſua deceaſt & infirm, *reſpectivè* as ſaid is. And farther, the Eſtates addes to thir and the remanent number in the foreſaid Commiſſion, *Charles* Earle of Dumfermling, *William* Earle of Lanerk, *Alexander* Lord Elphingſtoun, and *Alexander* Lord Balcarras, for the Nobility: Sir *Iohn Hammiltoun* of Beill, Maſter *George Dundas* of Mainer, Sir *Patrick Hammiltoun* of Little-Preſtoun, and Sir *Alexander Falconer* of Hackertoun, one of the Senatours of the Colledge of Juſtice, for the Barons: Sir *Iohn Smith* Proveſt of Edinburgh, *Robert Meeklejohn* burgeſſe thereof, *Thomas Bruce* Proveſt of Stirling, and Maſter *Robert Cunninghame* Burgeſſe of Kinghorne, for the Burrows; To bee upon the foreſaid Commiſſion for plantation of Kirks, and valuation of Teinds: And by thir preſents ratifies and renewes the ſaid Commiſſion, with the whole power thereby granted, and whole tenour and effect thereof, in manner, and to the ends therein ſpecified. And grants the like power to the perſons *reſpectivè* above-named, now eiked and added to the foreſaid Commiſſion, as is granted to the others Commiſſioners therein nominate, ſicklike, and in the ſamine manner, in all reſpects, as if the ſaids perſons had beene nominate and inſert in the ſaid Commiſſion at the granting thereof. And declares and ordaines the *Quorum* in the ſaid Commiſſion, to ſtand as it is already ſet downe and condeſcended thereintill, notwithſtanding of the adding of the perſons above-named to the Commiſſion.

ACT XXV.

Act of the Eſtates of Parliament, appointing the Committees of Warre in the ſeverall Shires and Diviſions of the Kingdome.

24. *July* 1644.

THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſty and the three Eſtates, in *Anno* 1641. Taking to their conſideration, that the ſame cauſes that moved the Convention of Eſtates of this Kingdome conveened at Edinburgh 26. Auguſt 1643. years, To nominate and appoint Committees of Warre, in the whole ſeverall Shires of this Kingdome, to the ends, and with the Power and Commiſſion contained in the Printed Acts and Orders of the Convention of Eſtates of the date foreſaid yet remains: Therefore the ſaids Eſtates of Parliament nominates and appoints the perſons under-written, to bee Committees and Commiſſioners within the ſeverall Shires of this Kingdome, as well Burgh as Land, in man-

ner and to the effect contained in the foresaid Printed Act of the Convention of Estates of the date the said 26. August 1643. yeers.

They are to say,

In the Sheriffdome of Edinburgh principall, *John* Earle of Lawderdaile, *William* Earle of Lothian, Earle of Dalhousie, *John* Lord Balmerino, *John* Lord Maitland, *George* Lord Forrester, Lord Borthuik, Lord Ramsay, Master of Crainstoun, Master of Balmerino, sir *Archibald Johnstoun* of Waristoun, Master *William Sandilands* tutor of Calder, sir *John Dolmahoy* of that Ilk, sir *James Fowlis* of Collingtoune, Master *John Skein* of Halyeards, Master *John Inglis* of Crawmond, sir *John Couper* of Gogar, sir *William Nisbet* of Dean, the Laird of Craigmiller, the Laird of Lugtoun, *John Calderwood* Baily of Musselburgh, *James Johnstoun* in Leith, sir *James Dundas* of Arneistoun, *John Nicolsoun* of Poltoun, sir *Patrick Hammiltoun* of Preston, sir *William Scot* of Clerkingtowne, *John Gibsoun* of Alderstoun, *Marke Car* of Cokpen, *David Macculloch* of Guthers, *John Pringle* of Corralferrie for Stow, *William Borthuik* for Hereot, *Robert Mitchelsone* for Dalkeith, Master *John Cant*, the Laird of Haltoun, the Laird of Monktowne, Master *Lawrence Scot*, *William Murray* portioner of Langhredmestoun, Master *Samuel Johnstoun*, Master *James Scot* of Bonytowne, sir *John Hoip* of Craighall, sir *William Dick*, *George Fowlis* of Ravilstoun, the Laird of Innerleith younger, *Hentie Elphingstoun* of Calderhall, sir *John Smith*, and *James Denistoun*, with these that were the last yeere upon the Committee of Warre for this Shire, and were sent out by the Shire, as Officers in the Army, To bee still upon this Committee at their returne.

In the Constabularie of Haddingtoun and Bailliarie of Lauderdaile, the Earle of Wintoun, the Earl of Roxburgh, the Earle of Haddingtoune, the Earle of Lauderdaile, the Lord *Angus*, the Lord Zeister, the Lord Elibank, sir *James Hammiltoun* of Prestoun, sir *Alexander Moresoun*, sir *John Johnstoun* of Elphingstoun, sir *John Achinmutie*, *James Maxwell* of Innerweik, *Patrick Congiltoun* of that Ilk, *Alexander Levingstoun* of Salcotts, sir *Patrick Hepburne* of Wachtoun, *Heburne* younger of Wachtoun, *John Hepburne* of Craig, *George Hume* of Foord, sir *Archibald Douglas* of Spot, *James Hopper* of Bourhouse, sir *John Ruthven* the Provest of Haddingtoun, *Purveis* Burgesse of Dumbar, sir *Iohn Hammiltoun* of Beill, *Patrick Whitlaw* of that Ilk, *Patrick Inglis* of Elvingstoun, *Iames Browne* of Colstoun, Master *Alexander Hay*, Master *Thomas Bannatyne* of Newhall, *William Gairnes* of Pilmoore, *Patrick Abernethie* of Notherdaile, *Robert Pringle* of Templehall, *Robert Cawder* in Belhavin, sir *William Scot* of Harden, Master *Alexander Hume* of S. Leonards, *George Logane* of Burncastle, and *Andro Ker* of Morestoun.

In the Sheriffdome of Peebles, the Lord Zester, the Lord Lintoun, sir *Alexander Murray* of Blakbarronie, sir *David Murray* of Stanihope, sir *Iohn Vaitch* of Dawick, *Iames Nasmithe* of Posso, or sir *Michael Nasmithe* his sonne, *James Geddes* of Rawchan, *John Dickson* of Hartrie,

trie, Maſter *James Lawſon* of Cairnemure, *William Lylle* of Blaſſindeane, *Andro Hay* of Hayſtoun, or Maſter *John Hay* his ſonne, *William Govan* of Cardroun, *William Twoidie* of Wrae, *James Ruſsill* of Kingſyid, *James Williamſone* Proveſt of Peebles, Maſter *Alexander Burnet* Tutor of Cringillie, *John Scot* of Himdelſhonp, *James Murray* of Romanno, *Robert Hunter* of Polmeude, *Adam Murray* brother to ſir *David Murray*, *James Litle* of Fullage, *George Crainſtoun* of Glen, ſir *Alexander Murray* to be Conveener.

In the Sheriffdome of Selkirk, ſir *John Murray* of Phillophauch to be Conveener, ſir *William Scot* younger of Harden, *Walter Scot* now of Whitſlaid, *James Pringle* of Torwodlie, *James Pringle* of Whytbaink, *Hew Scot* of Gallow-ſheils, *Robert Pringle* of Blindlie, *Robert Scot* of Borthuikbra, *Francis Scot* of Sintoun, *William Scot* of Tuſhelaw, *Thomas Scot* of Todrig, *John Murray* of Syndhoip, *James Murray* of Deuchar, *John Scot* of Gilmiliſcleugh, *Robert Scot* of Bowhill, *Patrick Scot* of Thirleſtane, *Andro Ker* of Sunderland, *William Scot* of Mengertoun in Newwark, *Andro Scot* in Foulſcheils, *Andro Scot* of Braidmeidows, and *Thomas Scot* in Selkirk.

In the Sheriffdome of Berwick, the Earle of Hume, the Earle of Hadingtoun, Sir *David Hume* of Wedderburne, Sir *Alexander Swyntoun* of that Ilk, Sir *William Hume* of Aytoun, Sir *William Cockburne* of Langtoun, *John Hume* of Blacader, *George Hume* younger of Wedderburne, *Alexander Hume* of Halyburtoun, Sir *James Cockburne* of Ryiſlaw, *John Hume* of Nanewar, *Archibald Douglas* of Lumiſdene, *John Wilkie* Fiar of Foulden, Maſter *Henry Hume* of Heredrig, *George Hume* of Diringtoun, *John Pringle* Fiar of Stitchell, *William Hume* of Linthill, Maſter *George Hume* of Bedſheill, *Browne* of Thornyedykes, *John Rentoun* of Cambertoun, *Alexander Hume* of Reſtoun, The Laird of Swyntoun to be Conveener.

In the Sheriffdome of Drumfreis, and Stuartrie of Annandale, the Earle of Queensberry, the Earle of Annandale, the Earle of Hartfell, the Lord Dalyell, the Laird of Lag, the Laird of Cloisburne, the Laird of Annsfield, Sir *John Greirſon*, maſter *George Douglas* of Pinzearie, *James Douglas* of Mortoun, *Thomas Fergusſon* of Caitlogh, *John Creightoun* of Crawfurdſtoun, *John Lowrie* of Maxweltoun, *John Wilſon* of Crogleme, *James Hunter* of Ballaggan, *John Douglas* of Stanehouſe, *James Grierſon* of Dalgoner, *Archibald Johnſtoun* of Clochrie, the Laird of Twidell, *John Dalrumple* of Waterſide, the Laird of Apilgirth, the Laird of Monſwall, *James Johnſtoun* of Corheid, *Andrew Johnſtoun* of Locherbie, *Archbald Douglas* of Dornok, the Laird of Wamfra, *Francis Scot* of Cairtertoun, *Matthew Wilſon* in Greenhill, *John Kennedie* of Halleilhis, *Robert Johnſtoun* of Newtoun, the Laird of Dumereich, *Johnſtoun* of Poldean, *John Johnſtoun* called *Viccarland*, *John Irwing* late Proveſt of Dumfreis, *Roger Kirkpatrick* Baillie there, *Robert Richardſon* there, *John Macclane* there, *John Johnſtoun* Baillie of Drumfreis to be Conveener.

In the Sheriffdom of Lanerk, the Marqueſſe of Douglas, the Lord Fleming,

Fleming, the Laird of Lamingtoun, Sir *Iames Lockhart*, Sir *William Carmichael*, Sir *William* Weir, Sir *Will. Lockhart*, Sir *Iames Hope*, the Laird of Blackwood, the Baron of Wiſtoun, the Laird of Anneſtoun, the Laird of Bonytoun, the Commiſſar of Lanerk, the Laird of Jarreſwood, the Laird of Welſton, the Goodman of Wickitſhaw, the Laird of Halcraig, the Laird of Mandiſly, the Laird of Cleghorn, the Laird of Bagray, *Will. Brown* of Dolphingtoun, *Iohn Douglas* of Birkhil, *Gedeon Jack* of Broxfield, the Bailies of Lanerk. Thir for the Committee of Warre within the Presbyterie of Lanerk, to meet at Lanerk, The Earle of Lanerk, the Lord Orbeſtoun, the Laird of Silvertoun-hill, the Goodman of Haggs, Sir *Iames Hamiltoun* of Bromehill, the Goodman of Dalſerf, the Goodman of Raploch, the Laird of Carphin, the Goodman of Allantoun, *Bancloch*, *Woodhall* younger, Sir *Iames Somervell*, the Laird of Clelandtoun, the Laird of Torrens, the Goodman of Oodſtoun, Boigis, Braidiſholme, Milneburne, Murdiſtoun, *Patrick Hamiltoun* of Gateſide, *Iohn Alexander* Bailie of Hamiltoun, the Goodman of Kipbyre, and the Laird of Maynes. Thir for the Committee of Warre within the Prerbytery of Hamiltoun, to meet at Hamiltoun, Sir *Robert Douglas*, Maſter *Iohn Dunlop* of Cada, *Walter Cuthbert* of Towcorsburne, Maſter *Archbald Fleming*, Maſter *Iames Robertoun* of Bedlae, *Iames Bell* Proveſt of Glaſgow, *Iames Hamiltoun* there, *Coline Campbel* younger there, *Iohn Anderſon* late Bailie there, *William Neilſon* there, *Robert Hamiltoun* of Cathkin, the Laird of Aikinheid, *Iohn Scot* in Rutherglen. Thir for the Committee of Warre within the Presbyterie of Glaſgow, to meet at Glaſgow, and *William Bailie* of Carphine, to conveen the whole three Committees above-written, when neceſsity requireth them to meet in one place.

In the Sheriffdome of Linlithgow, the Earle of Linlithgow, the Lord Bargany, the Laird of Dundas elder and younger, *William Drummond* of Richardtoun, Sir *VValter Murray* of Levingſtoun, Sir *Iames Stuart* of Kirkhill, Sir *Iohn Dundas* of Newliſtoun, *George Dundas* of Dudingſtoun, Maſter *George Dundas* of Mayner, Sir *Robert Drummond* of Medhop, *Iohn Hamiltoun* of Boghall, *Samuel Drummond* of Carlowrie, *Iames Cochran* of Barbauchley, *Iames Hamiltoun* of Grange, *Iohn Hamiltoun* of Kinglaſh, *Alexander Hamiltoun* of Bynnie, Maſter *Iohn Bruce* of Wrae, Maſter *Iames Hamiltoun* of Weſtport, *George Bell* Proveſt of Linlithgow.

In the Sheriffdome of Dumbartan, *William Sempil* of Fulwood, *Walter Macauley* of Ardincaple, *Iohn Napeir* of Kilmahew, *Noble* younger of Feirme, *Iohn Macfarlan* of that Ilk, Sir *Humphrey Colquhoun* of Balvie, *William Buntein* younger of Ardoch, *Mungo Lindeſay* of Banull, *Robert Colquhoun* of *Iohn Colquhoun* of Kilmardining, *Iohn Denneſtoun* of Dalquhorne, *Hugh Crawfurd* of Clobarhill, *William Douglas* of Kayſtoun, *Iohn Darleith* of that Ilk, *Andrew Stirling* of Lime, *William Stirling* in Enbarnat, *Iohn Sempill* Proveſt of Dumbartan, *Robert Hall* of Fouwar.

In the Sheriffdome of Wigtoun, the Earle of Caſsils, the Earle of Galloway,

Galloway, the Lord Garleis, Sir *Patrick Agnew*, and in his abſence *Andrew Agnew* his ſon, the Laird of Garthland, *Alexander Macdowgal* of Logan, *William Gordoun* of Crachlaw, *Iohn Vaus* of Barnebarrot, *Iohn Murray* of Brochtoun, *Iohn Dumbar* of Mochrum, and in his abſence *Dumbar* his eldeſt ſon, *Iohn Macculloche* of Myretown, *Alexander Macculloche* younger of Ardnell, *Thomas Hay* of Park, *Uchreid Macdowell* of Freuche, *David Dumbar* of Baldime, *Patrick Agnew* of Seuchan, *Hugh Macdowel* of Knocklaſh, *Iohn Cathcart* of Ganoche, *Hugh Kennedy* of Sinnes, *Fergus Kennedy* Proveſt of Stranrawer, *Patrick Ahannay* Proveſt of Wigtoun, *Gilbert Neilſon* of Craigcaffie, and *James Kennedy* Factour to the Earle of Caſsils, with power to theſe within the Earle of Caſsils Diviſion, to meet by themſelves, or any five of them: The like power to any five within the Lord Garleis his Diviſion: And the Conveener to be according to the Act of the Convention of Eſtates in Auguſt 1643.

In the Sheriffdom of Roxburgh, the Earle of Roxburgh, the Earle of Bacleugh, Sir *William Douglas* of Cavers, Sir *Andrew Ker* of Greenheid, Sir *Thomas Ker* of Cavers, *Iohn Rutherfurd* of Hunthil, *Robert Pringle* of Stichell, *Robert Langlands* of that Ilk, Maſter *Gilbert Allot* of Craigend, *Walter Scot* of *Iohn Scot* of Heidſhaw, *Iohn Keirop* of that Ilk, *Gedeon Scot* of Harden, *Andrew Ker* of Maſendel, *Andrew Ker* of Shaw, *Gedeon Wauchope*, *Iohn Rutherfurd* of Keapok, *Archbald Ellot* of Faineſch, the Laird of Ednem, the Laird of Greddan, *Andrew Bell* of Mow, Maſter *William Moore* of Otterburne, the Laird of Fairningtown, Sir *Walter Riddell* of that Ilk, *Andrew Ker* of Lyntoun, the Laird of Bymerſide elder, *Archbald Douglas* Fiar of Cavers, *William Ellot* of Stobbs, *Iohn Ker* of Lochtower, *Henry Cranſtoun* brother to the Lord Cranſtoun, *Iohn Scot* of Gorrinberrie, *William Ker* of Newtoun, *John Rutherfurd* Fiar of Dalgerſtoun, Sir *William Douglas* of Cavers to bee Conveener.

In the Sheriffdome of Air, the Earle of Lowdoun Chancellour, the Earle of Eglintoun, the Earle of Glencairne, the Earle of Caſſils, the Lord Montgomerie, the Lord Boyd, the Lord Barganie for Kyle, ſir *Hugh Wallace* of Craigie, ſir *William Cunningham* of Capringtoun, ſir *Hugh Campbel* of Seſnock, ſir *William Cochrane* of Cowdoun, *James Chalmers* of Gaitgirth, *David Crawfurd* of Kers, *Iohn Fullertoun* of that Ilk, *David Boſwel* of Auchinlech, *Iohn Campbel* of Shankſtoun, *Iohn Lockart* of Bar, *Thomas Stuart* of Gaſtoun, Maſter *Adam Cuninghame* of Privik, *Farquhar* younger of Gilmilneſcroft, *Alan Cathcart* of Carnhill, *Iohn Osburne* for Air. For Cuninghame, *Iohn Crawfurd* of Kilburnie, *Iohn Blair* of that Ilk, ſir *William Cuninghame* of Cunninghameheid, ſir *William Mure* elder and younger of Rowallane, *Iohn Brisbane* of Biſhoptoun, *Neil Montgomerie* of Langſhaw, *Iohn Crawfurd* of Crawfurdland, *Alexander Cuninghame* of Corſehill, *James Dunlop* of that Ilk, *Hugh Ker* of Kerriſland, *William Ralſton* of that Ilk, *Iohn Cuninghame* of Baidland, Maſter *Robert Barclay* for Irwin, *Hen. Kelſo* in Lairgs. For Carrick ſir

Alex.

Alex. Kennedie of Coſſen, *David Kennedie* of Kirkmichel, *Thomas Boyd* of Penkil, *Hugh Kennedie* of Girvan-maynes, *John Kennedie* of Knockdaw, Maſter *Hugh Cathcart* Tutor of Carletoun, *Thomas Kennedie* younger of Ardmillane, *Robert Macalexander* of Corſcleyes, *John Macilvein* of Grimmet, *John Whitefurd* of Balloche, *Adam Whitefurd* of *Kennedie* younger of Kirkmichel, *John Shaw* of Keirs, *Gilbert Kennedie* of Dougat, *John Eccles* younger of Kildonane, the Lairds of Ceſnok or Gairgirth to bee Conveeners.

In the Sheriffdome of Renfrew, ſir *Lodovick Houſtoun* of that Ilk, ſir *John Maxwel* of Nether-pollok, ſir *William Ros* of Mureſtoun, ſir *Patrick Maxwel* of Newwark, *William Cuninghame* of Craigans, *John Brisbane* of Biſhoptoun, *John Shaw* of Greenok, *Alex. Porterfield* of that Ilk, *John Stuart* younger of Blakhall, *Pat. Fleming* of Barruchan, *Robert Pollok* of that Ilk, *Bryce Semple* of Cathcart, *William Mure* of Glenderſtoun, *William Caldwel* of that Ilk, *Cornelius Crawfurd* of Jordanhill, *John Spreul* of Caſtelhil, *Robert Wallace* Bailie of Paſley, ſir *John Crawfurd* of Kilburnie, ſir *William Cochrane* of Cowdoun.

In the Sheriffdome of Argyle, *Robert Campbel* of Glenurquhie, ſir *Duncan Campbel* of Achinbreck, *Duncane Campbel* of Dundrone, *Colin Campbel* of Innerliver, *Archbald Campbel* Captain of Craigneſſe, Maſter *Dougal Campbel* of Lag, *Hect. Mac-neil* of Thynes, *Hector Macalaſter* of Loupe, *Malcome Mac-nachton* of Dundarrow, *Archbald Campbel* of Glengarradal, *John Mac-cloyd* of Dunvagan, ſir *Donald Mac-Donald* of Slait, *John Mac ronald* of Ilantyrum, Captain of the *Clan-rannald*, *Alan Cambroun* of Lochyel, or *Donald Cambroun* his ſon, ſir *Don. Campbel* of Ardnamurchan, ſir *Lachland Mac-clean* of Dowart, *Murdoch Mac-clean* of Lochbwie, *James Campel* of Ardkinglas, *Archbald Campbel* of Kilmund, *Coline Campbel* of Straghirgtir, *Archbald Campbel* of Otter, ſir *James Lawmont* of Inneryne, *Lachlan Mac-lachlan* younger of that Ilk, *John Campbel* of Lochninel, *Archbald Campbel* Captain of Dunſtafneſſe, *George Campbel* Tutor of Calder, *John Mac-dowel* of Ragra, *John Campbel* of Ardchattan, *Alex. Mac-dowgal* of Dunnoloyt, and *George Campbel* Sheriff-depute of Argyle, and the ſaid Laird of Glenurquhie, or in his abſence Auchinbreck to bee Conveener.

In the Sheriffdome of Clakmannan, ſir *Charles Erskin* of Cambuskenneth, the Laird of Sauchie, the Laird of Duncrub, the Laird of Roſſyith, Maſter *Robert Bruce* of Kennet, the Laird of Clakmannan, *Edward Broun* of Ferrietoun.

In the Sheriffdome of Fyſſe and Kinroſh, *Arthur Erſkin* of Scottiſ-craig, *Lundie* of that Ilk, or *Robert Maitland*, *William Scot* of Ardroſſe, ſir *Thomas Mortoun* of Cambo Colonel, ſir *Iames Lumſden*, *Robert Forbes* of Rires, or *William Forbes* his ſon, *John Cuningham* of Barnes, *George Hay* Fiar of Nauchtoun, *Iames Airth* for Pittinweeme, ſir *And. Bruce* of Earlſhal, ſir *George Hammiltoun* of Blaikburne, ſir *Michael Arnot* of that Ilk, ſir *John Weemes* of Boigie, ſir *Andrew*

drew Skein of Halyards, *James Law* for Kirkcaldie, Maſter *Robert Cuninghame* for Kinghorn, *Geo. Garden* for Bruntiland, ſir *John Erskin* of Otterſtoun, *John Henderſon* of Fordell, ſir *Robert Colvil* of Cleiſh, *Will. Monteith* of Randiefurd, ſir *Iames Halket* Fiar of Pitferran, *Iames Reid* for Dumfermling, *Robert Dempſter* of Balbougie, ſir *David Barclay* of Cullerine, *David Beton* of Creich, ſir *Iohn Ayton* of that Ilk, ſir *Iames Arnot* of Fearme, *Iohn Preſton* Fiar of Airdrie, *David Pitcairn* of that Ilk, ſir *Michael Balfoure* of Denmylne, *David Mac gil* Fiar of Rankelour, *George Iameſon* for Couper, *Iohn Scaton* of Lafreis, *David Balfoure* of Balloch, *William Halyday* of Tulliboil, ſir *William Douglas* of Kirkneis, *Robert Paterſon* of Dinmoore, *David Simſon* for Dyſert, *Marke Kinglaſsie* for Innerkithing, Captain *Alex.* for Anſtruther, *Iames Sword* for S. Andrews, *Andrew Daw* for Crail, and Scottiſcraig, or in his abſence Denmylne to be Conveener.

In the Sheriffdome of Perth, *Iohn* Earle of Perth, *William* Earle of Airth, *Iohn* Lord Kilpont, *Iames* Lord Murray of Gask, *Iames* Lord Couper, ſir *Thomas Blair* of Balthyok, ſir *Thomas Ruthven* of Frieland, ſir *Pat. Ogilvie* of Inchmartin, ſir *Iohn Hadden* of Glennegies, *Iohn Campbel* Fiar of Glenurquhie, *Peter Hay* of Leyis, *Robert Arnot* Proveſt of Perth, ſir *Iames Drummond* of Manchame, Maſter *George Grahame* of Inchebraikie, *Pat. Kinniard* of Incheſture, *Iohn Blair* of Ardblair, Maſter *David Kinloch* of Aberborthrie, *David Grahame* of Gorthrie, *David Carmichael* of Balmedy, *Iohn Grahame* of Balgawne, ſir *Iohn Moncreiff* of that Ilk, *William Stirling* of Anchyte, *Alex. Meinycus* of Comrie, *Iames Stuart* of Aberlieh, *George Drummond* of Balloch, *Ramſay* of Bamff, *Gilbert Campbel* Fiar of Kethik, Maſter *Francis Hay* of Balhouſie, ſir *Thomas Stuart* of Garnetullie, Maſter *David Moncreiff* of Craigie, *Thomas Meinyeis* of Fergarmoch, Maſter *Gilbert Stuart* of Balkail, *Alex. Robertſon* of Dowme, *Iames Stirling* of Balvil, *Iames Drummond* of Milnenab, *Henry Sinclare* of Gleſſingal, *William Grahame* of Bulquhopil, Maſter *Iames Henderſon* of Mac-coranſtoun, *Coline Campbel* of Knockhill, *Iames Ure* of Shergartoun, *Geo. Buchanan* younger of that Ilk, *Iohn Buchanan* of Arnepryor.

In the Sheriffdome of Forfar, the Laird of Dun Preſes, and in his abſence the Laird of Sindawrie, *Frederick Lyon* of Bridgtoun, *Robert Arbuchnot* of Findowrie, *Thomas Fothringhame* of Powrie, Maſter *Iames Durhame* of Pitkerraw, or in his abſence *William Durhame* elder of Grange, *Iames Durhame* of Powrie, *Iohn Scrymgeour* of Kirktoun, *Thomas Halyburtoun* for Dundee, or *George Broun*, *Iohn Nevay* of that Ilk, *Iames Ogilvie* of Balfoure, ſir *Iames Ogilvie* of New-grange, *Maxwell* of Teilling, *Peter Young* of Seatoun, *William Ruthven* of Gairn, ſir *Alex. Erskin* of Dun, ſir *Alex. Carnegie* of Bonamone, *George Symmer* of Balyordie, *Alex. Ramme* for Montroſe, *Iohn Ochterlony* for Arbroth, *Henry Mauld* of Melgum, *Thomas Fothringhame* of Denoone, ſir *William Blair* of Balgillo, *George Campbel* of Carſgoinie, *Iohn Ogilvie* of Pitmonis, *Iames Perſon* of Balmadies, *Iohn Ochterlony* of Hoſpitalfield, *William Lyon* for Brichen, *William Huntar* for Forfar.

In the Sheriffdome of Kincardin, ſir *Alex. Falconer* younger of Halkertoun,

kertoun, *Alex. Straytoun* of Lowrieſtoun, ſir *Robert Grahan* elder and younger of Morphie, *William Raitt* of Hall-green, *Allerdyce* of that Ilk, *David Ramſay* younger of Balmayne, *Burnet* younger of Leyis, Maſter *Iames Straughane* of Fettercairne, Maſter *David Falconer* of Glenfarquhar, *Banerman* of Elſick, *Patrick Falconer* of Newtoun, *Iohn Barclay* of Johnſtoun, *Patrick Levingſtoun* of Benholme, *Robert Douglas* of Brig-toord, *Iohn Grayhame* of Craigie, *Robert Middletoun* of Caldhame, *Iohn Strachane* Tutor of Thorntoun, *Iames Douglas* of Stanepeth, *Alex. Keith* of Kirktounhill, *Andro Stretoun* of Greinleyis, *Andro Raitt* of Kincauſie, *Arthur Stratoun* of Snatoun, and in his abſence *Arthur Stratoun* of Kirkſide.

In the Sheriffdome of Bamff, *Alex. Ogilvie* of Kirkairne, *Alexander Abercrombie* of Birkinboig, ſir *Alex. Abercrombie* his ſon, *Abercrombie* of Skeith, *Iames Baird* of Auchmedden, *George Oglevie* of Halyeards, *Sutherland* of Ducheor, *Innes* younger of Auchlonchart, *Grant* younger of Ballindalloch, *William Lawtie* in Myrehous, *Walter Oglevie* of Poldavie, *Robert Wilſon* of Braikenhils, *Walter Oglevie* in Rydhithe, ſir *Alexander Abercrombie* to be Conveener.

In the Sheriffdome of Aberdene, the Earle Marſhall, the Lord *Gordoun*, the Vicount of Frendrant, the Lord *Forbes*, the Lord *Fraſer*, *Alexander Fraſer* of Pillorth, ſir *William Forbes* of Craigievar, *Walter Forbes* of Tolquhen, *Thomas Ereskine* elder of Pittodrie, *Thomas Ereſkine* younger of Pittodrie, *Iames Skein* of that Ilk, *Arthur Forbes* of Eſcht, *Iohn Forbes* of Leſlie, *William Forbes* younger of Leſlie, *Alexander Strauhane* of Glenkindie, *Alexander Strauhane* younger of Glenkindie, *Robert Farquharſone* of Invergauld, *Gilbert Skein* of Dyce, *Iohn Irwing* of Beltie, *Geo. Leſlie* younger of Kincraigie, *Iohn Forbes* of Aſlowane, *Iames* Oglevie of Weſthall, *Thomas Forbes* of Watertoun, *Iohn Kemedie* of Carmukis, *Alex. Forbes* Tutor of Pitſligo, *Thomas Fraſer* younger of Streichine, *Iohn Keith* of Blackrianche, *Alex. Ereſkine* of Rothney, *Pat. Leſlie* preſent Proveſt of Aberdene, Maſter *Alex. Iaffray* of Kingſwals, Maſter *Robert Farquhar* of Muine, Maſter *William Moir* of Scottiſtoun, *William Forbes* younger of Corſinday, *Geo. Leith* of Threfield, *Iohn Leith* of Whythauche, *Alexander Faffray* Baillie of Aberdene, Maſter *Alexander Faffray* of Kingſwals to bee Conveener.

In the Sheriffdome of Elgin and Nairne, and a part of the Sheriffdome of Innernes, with the Towne thereof, and Strathſpey, *Duncan Forbes* of Calladon, *Iames Cudbert* of Drakes, *William Macintoſh* of Keillachie, *William Dollos* of Cantra, *William Roſſe* of Clava, *Hugh Roſſe* of Kilraock, *Alexander Brodie* of Lethin, *Iohn Grant* of Moynes, *Iohn Sutherland* of Kinſterie, *Alexander Dumbar* of Both, *Iohn Hay* of Knockowdie, *Thomas Mackenzie* of Pluſcarden, *Alex. Dumbar* of Weſtfield, *Thomas Tulloche* of Tannachies, *Ninian Dumbar* of Granghill, *Alexander Brodie* of that Ilk, *Alex. Sutherland* of Duffus, ſir *Rob. Innes* of that Ilk, ſir *Rob. Gordon* of that Ilk, Maſter *Iohn Hay* Proveſt of Elgin, *Pat. Campbel* of Both, *Iames Grant* of Ftewchie, *Iohn Grant* of Ballindalloch

Ballindalloch younger, and the Laird of Brodie, or in his absence *Innes* to be Conveener.

In the Sheriffdome of Stirling, the Laird of Touche, the Laird of Leckie, *John Rollock* of Bannokburn, *Walter Buchannan* of Drumakil, *John Lennox* of Barnshogle, *Mungo Stirling* of Glorat, *John Buchannan* of Rose, *John Kincaid* of Achinreanche, Master *John Rollock*, sir *Charles Erskine*, *Geo. Buchannan* of that Ilk, sir *Thomas Nicolsone* of Carnok, Master *William Cuninghame* of Brounhill, *Rob. Blair* of Rumik, *Lennox* of Wodheid, the Laird of Kincaid, *Alex. Cuninghame* of Boquhame, *Bruce* of Achinbwie, *Thomas Bruce* Provest of Stirling, *John Rucheid* of Castbe, *John Maclachlan* of *Thomas Elphingstoun* of Carstyre, *Adam Colquhoun* of Glennis, *Iohn Grahame* of Poldare, and the said *Thomas Bruce* Provest to be Coveener.

In the Stewartrie of Kircudbright, the Vicount of Kenmure, the Lord Kircudbright, the Laird of Bulmaghie, *Alex. Gordoun* of Earlstoun, *Iohn Gordoun* his son, *Iohn Gordoun* of Gardines, *Iohn Lennox* of Calie, *Iohn Brown* of Carsbinth, *Alex. Lennox* appeirand of Calie, *Rich. Mure* of Cassincarie, *William Glendoning* Provest of Kircudbright, *Iohn Carssan* Baillie there, *Iohn Fullertoun* of Carletoun, *Rob. Gordoun* of Knokbrax, *Alex. Gordoun* of Knokgray, *Thomas Rome* appeirand of Irnegray, *John Stuart* of Shanibellie, *Rob. Maxwell* of Kirkhouse, *Geo. Glendoning* of Mochrum, sir *Patrick Mackie* of Larg, *Thomas Maclellane* of Collin, *Iames Telfeir* of Haircleugh, and the said *Iohn Fullertoun* of Carletoun to be Conveener.

In the Sheriffdome of Bute, sir *Rob. Montgomery* younger of Skelmorley, *Hector Bannatyne* of Kames, *Ninian Stuart* of Kilchattam, *Rob. Jamesone* Crowner, *Alexand. Campbel* of Pimner, *Ninian Spence* of Westerkames, *John Hammiltoun* Bailie of Arrane, *James Stuart* of Kilquhindik, *Nintan Stuart* of Askog, *John Stuart* of Ardrismore, *John Campbel*, *John Jamesone* Provest of Rothesay, *Robert Bannatyne* of Cubas.

In the Sheriffdome of Sutherland, and a part of Innernesse, *Gray* of Skibo, *David Rosse* of Balnagowne, Sir *Alex. Sutherland* of Duffus, Sir *Robert Monro* Tutor of Foullis, *Walt. Inneis* of Innerbreakie, *Hector Douglas* younger of Muldarg, *And. Macculloch* of Glastalloch, *Hugh Rosse* of little Torcel, *Alex. Gray* of Ospisdail, *Ro. Murray* of Pulrosie, *Donald Maccloyd* of Assint, *Walt. Murray* of Pitgrudie, *Hucheon Mackie* of Skaurie, *Alex. Gordoun* of Carrel, *Ro. Gray* of Culmaillie, Sir *John Gordoun* of Embo, and *Gray* of Skibo, or in his absence Balnagowne to be Conveener.

In the Sheriffdome of Caithnes, Sir *James Sinclar* of Murkil, *Francis Sinclar* of Tusbuster, Sir *James Sinclar* of Cansbar, Sir *John Sinclar* of Dunbeth, *James Sinclar* of Retler, *Alex. Sinclar* of Lachron, *David Sinclar* of *Pat. Sinclar* of *James Sinclar* of Brimes, *James Sutherland* Fiar of Forse, *John Sinclar* of Assuri, *John Murray* of Pennieland, *Alex. Cogil* of that Ilk, *Charles Caddell* of Lynake, *David Cogil* Fiar of Cogil, *David Caddel* of Skouthel, Wil-

liam Bruce of Hame, *Rob. Murray* in Thurſo, *John Inneis* of Thirſeter, *David Budge* of *Alex. Bruce* of Holland, *Rob. Inneis* of *John Davidſon* Sheriff-clerk, and the ſaid Laird of Murkil to be Conveener.

In the Sheriffdome of Orkney, *Stuart* of Maynes, *Henry Stuart* of Grinſay, *Thomas Buchanan* Sheriff, Maſter *Henry Aiken* Commiſſar, *Ed. Coke*, *Magnus Taylor*, *John Baikie*, and *Henry Prince* Bailies of Kirkwall, *Pat. Smith* of Braco, *William Sinclar* of Saba, *John Craigie* of Sande, *Thomas Sinclar* of Campſtoun, *James Baikie* of Tankernes, *Ed. Sinclar* of Gyre, *Ed. Sinclar* of Neſſe, *John Sinclar* of Hamer, *Adam Bellanden* of Stenhouſe, *David Hart* of Ruſland, *Hugh Halcro* of Gruke, *William Craigie* of Gerſey, *William Irwing* of Garſlay, *Pat. Balfoure* of Faray, *Tho. Trail* of Holland, *James Coke* of Bea, *John Grot* of Elſnes, *James Sea* younger of Clayſtrain, *Rob. Stuart* of Burgh, *John Grot* of Halſtoun, *James Mudie* of Welſiter, *Hugh Halcro* of that Ilk, and the Laird of Maynes, or in his abſence Maſter *Henry Aiken* to be Conveener.

To the which whole Committees and Commiſſioners *reſpectivè* of the ſeverall Shires and Presbyteries *reſpectivè* above-mentioned, and to every one of the ſamine ſeverall Committees: The ſaids Eſtates renewes and grants the ſame Commiſſion, Power, and Warrant contained in the foreſaid Printed Act of the Convention of Eſtates, and to the ends, and with the ſamine Liberties and Priviledges therein ſpecified, and conforme to the tenour of the ſamine printed Act in all points. And ordaines the ſaids ſeverall Committees to meet and conveen with all conveniency ſo ſoon as they can, betwixt and the ſixth day of Auguſt next at fartheſt. With power nevertheleſſe to the Committee of Eſtates of Parliament that ſhall reſide at Edinburgh, To alter or change the foreſaids Committees of the ſeverall Shires above-mentioned, or any of the perſons therein nominate, as the ſaids Committee of Eſtates ſhall think fit, or finde expedient.

ACT XXVI.

Act renewing the Commiſſion for the Common Burdens.

24. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates, in *Anno* 1641. Conſidering that by the 24. Act of the laſt Seſſion of the laſt Parliament, There was Commiſſion granted by the Kings Majeſtie, and Eſtates of Parliament, to the Commiſſioners therein nominate, and *Quorum* thereof, contained in the

the ſaid Act for regulating the Common Burdens of this Kingdome, in manner therein mentioned: And that *William Rig* of Ethernie, *Patrick Bell* Burgeſſe of Glaſgow, and *Thomas Durham* Burgeſſe of Perth, three of the perſons nominate in the ſaid Commiſsion, are now deceaſt, and that *Alexander Gordoun* of Erleſtoun is ſo infirme that he cannot attend the ſervice: Therefore, and for the furtherance and diſcharge of the ſervice of the ſaid Commiſsion, The Eſtates nominates *Patrick Cocburn* of Clerkingtoun in place of the ſaid Umquhile *William Rig* of Ethernie, *James Macdowell* of Garthland in place of the ſaid *Alexander Gordoun* of Erleſtoun, *James Stuart* Merchant, Burgeſſe of Edinburgh in place of the ſaid Umquhile *Thomas Durham*, *James Bell* in Glaſgow in place of the ſaid Umquhile *Patrick Bell*. And eikis them to the foreſaid Commiſsion in place of the ſaids perſons ſua deceaſt and infirme *reſpectivè* as ſaid is. And farther, The Eſtates addes to thir and the remanent number in the foreſaid Commiſsion, *Charles* Earle of Dumfermling, *William* Earle of Lanerk, *Alexander* Lord Elphingſtoun, and *Alexander* Lord Balcarras for the Nobility: Sir *John Hamiltoun* of Beill, Maſter *George Dundas* of Mainer, Sir *Patrick Hamiltoun* of Little-Preſtoun, and Sir *Alexander Falconer* younger of Hackertoun one of the Senatours of the Colledge of Juſtice for the Barons: Sir *John Smith* Proveſt of Edinburgh, *Robert Mecklejohn* Burgeſſe thereof, *Thomas Bruce* Proveſt of Stirling, and Maſter *Robert Cuninghame* Burgeſſe of Kinghorne for the Burrowes: To be upon the foreſaid Commiſsion, for regulating the Common Burdens of the Kingdome: And by thir preſents ratifies and renewes the ſaid Commiſsion, with the whole power thereby granted, and whole tenour and effect thereof, in manner, and to the ends therein ſpecified. And grants the like power to the perſons *reſpectivè* above-named, now eiked and added to the foreſaid Commiſsion, as is granted to the other Commiſſioners therein nominate, ſicklike and in the ſamine manner in all reſpects, as if the ſaids perſons had been nominate and inſert in the ſaid Commiſsion at the granting thereof. And declares and ordaines the *Quorum* in the ſaid Commiſsion, to ſtand as it is already ſet down and condeſcended thereintill, notwithſtanding of the adding of the perſons above-named thereto. And the Eſtates hereby diſcharges *ſimpliciter* all Fees appointed by the former Commiſsions, to the Commiſſioners for the Common Burdens in time-coming, but prejudice to the Clerk of his Fee.

ACT XXVII.

Act for putting of the Kingdome in a Posture of Warre.

25. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in *Anno* 1641. Conſidering the great Preparations made by Strangers, and ſome unnaturall Countrey-men, to invade this Kingdome, and deſtroy the Religion, Laws, and Liberties thereof: And that an Army under the command of Prince *Rupert*, are marching in an hoſtile way towards the Borders of this Kingdome for that effect, Do finde it abſolutely neceſſary, that for our owne preſervation and ſafety of this Countrey, the ſamine ſhould bee put in a poſture of defence, as may raiſe the Countrey moſt ſpeedily, and bring them ſooneſt forth to reſiſt the preſent invaſion. Therefore it is ſtatute and ordained, that all the Fenſible perſons betwixt ſixtie and ſixteene, of whatſoever quality, within the Sheriffdomes of Berwick, Roxburgh, Selkirk, Peebles, Drumfreis, and Stuartries of Anandale and Kircudbright, Conſtabularie of Hadintoun, Bailiarie of Lawderdale, Edinburgh principall, Linlithgow, Stirling, Clackmannan, Lanerk, Aire, Renfrew, Wigtoun, Fyfe, Perth, and Forfar, Be preſently contrived in Companies and Regiments of Horſe and Foot, and that they be ſufficiently provided with Arms and Ammunition, and thirty dayes proviſion, and be ready to defend the Countrey, oppoſe any Invaſion, and purſue the Invaders, And that they bee ayding and aſſiſting to eithers, and bee ready to march where the Invaſion ſhall happen to bee, or to ſuch places of Rendezvous, as upon certaine intelligence and correſpondence amongſt theſe who have command, ſhall bee thought moſt fitting, for oppoſing and purſuing the Enemy. And if any of the Heritors bee aged, or knowne to be infirme, That they ſend out able men, with their beſt Horſe and Armes. And ſtatutes and ordaines the whole Forces, Horſe and Foot aforeſaid, to bee readie to march upon advertiſement, by putting forth of Beakons upon the accuſtomed places, or ſuch other advertiſement as ſhall bee given in (excepting ſuch numbers as the Marqueſſe of *Argyle* ſhall raiſe for the publick ſervice in the Weſt, out of the Shires of Air, Stirling, Perth, and Renfrew.) And to the effect the Forces in the Shires may bee the better provided with Armes, and more ſpeedily and

and exactly brought forth, The Eſtates foreſaids ordaines, that all ſuch as were formerly appointed to bee Colonels, or Root-maſters of the Shires, by the Convention of Eſtates and their Committees, ſtill remaine and continue in that charge in theſe Shires where they are nominate. And ordaines the ſamine Diviſions and Conjunctions of Shires likewiſe to ſtand. And in like manner ordaines the whole Noblemen and Commitiees of Warre of the ſeverall Shires and Diviſions, to meet all in their owne ſeverall Committees, in their ordinary place of meeting, betwixt and the ſixth day of Auguſt next to come *incluſivè* at the fartheſt, and there to determine upon the ſaids Regiments both Horſe and Foot, and according to the number of the ſamine Horſe and Foot within ilk ſeverall Shire and Diviſion, to chooſe and appoint moe Colonels, Root-maſters, and all other Officers neceſſary, for leading and commanding of their Forces, aſwell Horſe as Foot, and to provide as many Armes and Ammunition as will arme all the able men in the Shire, and that either by giving preſent Money for them, or Bands for the price thereof to a certaine day, and they to have Letters of relief againſt the Heritors for repayment of the ſamine. With power to the Committees foreſaids, and the Heritors, to diſtribute the Arms in the ſeverall Shires and Diviſions, to theſe perſons that wants. And ordaines all Fenſible perſons whatſoever, betwixt ſixtie and ſixteen, to come forth upon the advertiſement foreſaid, under the paines following, *viz:* Ilk Noble-man, Gentle-man, Heritor, and Burgeſſe (except Edinburgh and Stirling, who are ordained to put all the Fenſible men within their Towns in Arms and Poſture of defence) under the paine of a yeares Rent, and ilk Yeoman, under the paine of confiſcation of their whole Moveables, to bee applyed to the uſe of the Publick, and to be farther puniſhed, as contemners of the Orders and authority of Parliament, and Infringers of their Covenant. And ordaines this preſent Act to be preſently publiſhed at the Market-Croſſe of Edinburgh, by an Herauld, by ſound of Trumpet.

ACT

ACT XXVIII.

Commiſsion to the Committee of Eſtates of PARLIAMENT.

26. July 1644.

THE Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates, in *Anno* 1641. Conſidering that this Kingdome (having uſed all other meanes without ſucceſſe) Did enter into a ſolemne League and Covenant with the Kingdome of England, for Defence and Reformation of Religion, the Honour and Happineſſe of the King, and Peace and Safety of thir Kingdomes, and in purſuance thereof, and of the Treaties made thereanent, Did raiſe and ſend Armies into England, and Commiſſioners to the Houſes of Parliament, to endeavour the effectuating of the ends expreſt in the ſaid Covenant and Treaties; And finding it neceſſar that for providing toward the maintenance, welfare, and ſubſiſtence of the Armies abroad in England and Ireland, giving of Inſtructions to the Commiſſioners in England, preſerving of the Peace and ſafety of the Countrey at home, and Ordering and Governing the whole body of this Kingdome, and affaires thereof, A grave Committee of Eſtates ſhould be nominate and authorized by this preſent Parliament: They doe therefore nominate, elect, and make choice of *John* Earle of Lowdoun High Chancellour of Scotland, *Alexander* Earle of Levin Lord Generall, and *James* Earle of Calendar Lord Lieutenant Generall, as ſupernumerarie in this Commiſſion, And *Archbald* Marqueſſe of Argyle, *William* Earle Marſhall, *John* Earle of Sutherland, *William* Earle of Morton, Earle of Buchan, *Alexander* Earle of Eglingtoun, *William* Earle of Glencairn, *John* Earle of Caſſils, *Charles* Earle of Dumfermling, *Robert* Earle of Roxburgh, Earle of Balcleugh, *Thomas* Earle of Haddingtoun, *John* Earle of Lauderdail, *William* Earle of Lowthian, *John* Earle of Lindſay, Earle of Weemes, Earle of Dalhouſie, *William* Earle of Lanerk, Vicount of Dudhope, *John* Lord Zeſter, *John* Lord Sinclar, *Alexander* Lord Elphingſtoun, *John* Lord Balmerino, *Robert* Lord Burleigh, *James* Lord Cowper, *George* Lord *Forreſter*, *Thomas* Lord Kircudbright, *Alexander* Lord Balcarras, *John* Lord Barganie, *Patrick* Lord Elibank, Sir *Patrick Hammiltoun* of Preſtoun, *Beatoun* of Creiche, *Aytoun* of that Ilk, Sir *William Greirſon* of Lag, Sir *William Carmichael*, Sir *Thomas Nicolſone* of Carnock, *Patrick Cockburne* of Clerkingtoun,

Clerkingtoune, Maſter *Alexander Belſches* of Toftis, Sir *William Cochrane* of Cowdoun, Sir *Iohn Crawfurd* of Kilburnie, Maſter *Francis Hay* of Balhouſſie, *James Macdowell* of Garthland, Sir *William Forbes* of Craigievar, *Iohn Birsbane* of Biſhoptoun, Sir *Iohn Hope* of Craighall one of the Lords of Seſſion, Sir *Michael Balfoure* of Deanmylne, Sir *Iohn Hammiltoun* of Beill, *Hugh Campbel* of Ceſnok, Sir *Gelbert Ramſay* of Balmaine, Sir *Adam Hepburne* of Humbie one of the Lords of Seſſion, Sir *Arthur Erskine* of Scottiſcraig, Sir *Patrick Hepburne* of Wauchtoun, *Lindeſay* of Belſtane, Maſter *George Winrahame* of Libbertoun, *Wauchope* of Nidrie, Sir *David Hume* of Wedderburne, Sir *William Scot* of Harden, *Scot* of Ardroſe, Sir *Thomas Ker* of Cavers, Sir *William Mure* of Rowallane, Sir *Iohn Hammiltoun* of Orbeſtoun, Juſtice-Clerk, one of the Lords of Seſſion, Sir *Archbald Campbel*, Sir *William Dick* of Braid, Burgeſſe of Edinburgh, *James Stuart* there, *Edward Edgar* there, *Thomas Paterſon* there, *Robert Arnot* Proveſt of Perth, *James Simſon* Dean of Gild of Dundee, *Patrick Leſlie* Proveſt of Aberdene, *Thomas Bruce* Proveſt of Stirling, *George Bell* Proveſt of Linlithgow, *James Lentrone* in Saint Andrews, *James Bell* Proveſt of Glaſgow, *Iohn Kennedie* in Air, *Iohn Semple* Proveſt of Dumbartan, *George Gardine* for Bruntiland, *George Iameſon* Proveſt of Cowper, *Richard Chaiplen* for Haddingtoun, *Gideon Iack* for Lanerk, *Iohn Ochterlonie* for Arbroth, Maſter *Robert Cunninghame* for Kinghorne, Maſter *Alexander Douglas* Proveſt of Bamff, *Andrew Gray* Burgeſſe of Monroſſe, *Iames Purves* for Dumbar, *Archbald Sydſerfe* Burgeſſe of Edinburgh, *Iames Wray* Burgeſſe there, *Hugh Kennedie* Burgeſſe of Air, *Iames Sword* in Saint Andrews, *George Porterfield* in Glaſgow, *William Glendoning* in Kircudbright, *Iohn Rutherfurd* in Jedburgh, *Thomas Macbirnie*, *David Simſon*, *Iohn Binnie* Burgeſſe of Edinburgh, and *Andrew Daw*; To be Commiſſioners of Parliament; To whom, or *Quorum* thereof under-written, The Eſtates of Parliament gives full Power, Warrant, and Commiſſion; To conveene at ſuch Times and Places as they ſhall thinke fitting, and there to take ſuch courſe, give ſuch Orders, Warrants, Inſtructions, or what elſe they ſhall finde neceſſary for defence of the true Proteſtant Religion, the Liberties and Priviledges of the Kingdome, his Majeſties Perſon and authority in the preſervation thereof, for removing the differences betwixt his Majeſty and his People, and promoving the Cauſe in hand, conforme to the Covenant and Treaties made thereupon. And for the better proſecution thereof, With power and command to them to provide Armes, Ammunition, Victuall, and other neceſſars for the Armies and Forces raiſed by this Kingdome, and either ſent into England or Ireland, or yet remaining within the ſame, and to give order to the ſeverall Shires and Burrows of this Kingdome for raiſing ſuch farther number of Forces, Horſe and Foot, out of their ſeverall bounds and Juriſdictions, and for outreiking them with Arms, Ammunition, Victuall, and others neceſſars, as they ſhall thinke fitting for the ends foreſaids. And with power to the ſaid Committee, to give orders for their Quartering, Muſtering, Marching, appointing

of Officers over them, and right regulating of the ſaids Forces, and providing meanes and ſubſiſtence for them: And for that effect to cauſe buy Armes, Ammunition, Victuall, and others neceſſars, and to borrow Money for payment thereof; Which Money ſo to bee borrowed and imployed for the uſe of the publick, is, and ſhall bee a Debt due by the Eſtates of this Kingdome. And to the effect that the meanes appointed for ſupply of the Armies, and other publicke ſervices, may be made more effectuall, With power and command to the ſaid Committee to be carefull in in-gathering of the Exciſe, and of Money, and giving publick ſurety therefore, conforme to the Acts already made thereanent. With power to them alſo in uplifting of the Eſtates Rents, and Goods of ſuch Malignants, and other Delinquents, as are or ſhall be diſcerned to belong to the Publick; To call to an account all ſuch perſons as are or ſhall be intruſted with the ſame, or any other publick intromiſſions, and either by themſelves, or ſuch as they ſhall appoint, to examine, controll, or allow their accounts; and to pay and ſecure theſe perſons to whom any thing ſhall be juſtly owing by the Publick. With power alſo to the ſaid Committee, to give Orders to the Committees of Warre in the Shires (whom they have hereby power to alter or change as they ſhall think fitting.) To all Colonels, Sheriffs, Stewarts, Bailies of Regalities, and other Magiſtrates or Subjects to Burgh or Land, in every thing concerning the Publick, in ſuch a way as they ſhall think fitting. And if the place of any Colonels in the Shire ſhall vaik by deceaſe or otherwiſe, With power to the ſaid Committee to put others in their places, and to remove ſuch others from their places as they ſhal have juſt reaſon for. As alſo with power to them to call before them all Papiſts, Malignants, diſ-affected Perſons, and ſuch others as ſhal not give obedience to the common Reſolutions of this Kingdom, and Judicatories therof, and to take courſe for ſecuring of their perſons and eſtates of whatſoever quality or degree they be of. As alſo, with power to them, as Juſtices hereby authorized by the Eſtates of Parliament, To cauſe apprehend, and call before them, or ſuch as they ſhall appoint, all ſuch perſons as have actually invaded this Kingdome, or riſen in Arms againſt the ſame, or have concurred with, aſſiſted, keeped intelligence and correſpondence with any of the ſaids Invaders and Riſers in Arms, and to purſue them for the ſame, pronounce ſentence, and doe juſtice upon them, conforme to their ſeverall demerits, and that als fully in all reſpects as the Parliament might doe if they were ſitting, without prejudice of the Commiſsion granted in this preſent Seſsion of Parliament anent Criminals and Delinquents. With power alſo to them to treat and determine with the Parliament of England for payment of the arrears due by the Kingdom of England to the Scots Armies in England and Ireland, and to take courſe for the future entertainment thereof, and diſpoſall of the ſame in time-coming in whole or in part. As alſo with power to them to ſend Petitions, Letters, or Remonſtrances, to his Majeſtie, and Meſſages or Commiſsioners to forreine Princes or States, and to returne anſwer to any Letters or Meſſage comming

from

from his Majeſtie or forreine Princes or States. And generally, To doe all and ſundry other things requiſite anent the ordering and managing of all affaires and buſineſſes which may conduce to the good and peace of this Kingdome, and promoving of the common Cauſe, as is expreſt in the Covenant and Treaties. And the Eſtates of Parliament conſidering how neceſſary it is that a part of the ſaid Committee remaine with the Armies in England, and another part to ſtay within the Kingdome, Doe therefore nominate and appoint the ſaids *John* Earle of Sutherland, *William* Earle of Mortoun, *Alexander* Earle of Eglingtoun, *Robert* Earle of Roxburgh, *Thomas* Earle of Haddingtoun, *John* Earle of Lauderdail, Earle of Weemes, *William* Earle of Lanerk, *Alexander* Lord Elphinſtoun, *John* Lord Balmerinoch, *Robert* Lord Burleigh, *John* Lord Barganie, *Patrick* Lord Elibank, ſir *Patrick Hammiltoun* of Preſton, *Beatoun* of Creich, *Aytoun* of that Ilk, ſir *William Grierſon* of Lag, ſir *William Carmichael*, ſir *Thomas Nicolſon* of Carnock, *Patrick Cockburne* of Clerkingtoun, Maſter *Alexander Belſches* of Tofts, ſir *William Cochran* of Cowdoun, *Crawfurd* of Kilbirnie, Maſter *Francis Hay* of Balhouſie, *James Macdowell* of Garthland, ſir *William Forbes* of Craigievar, *John Birsbane* of Biſhoptoun, ſir *John Hope* of Craighall, ſir *Michael Balfoure* of Deanmylne, ſir *John Hammiltoun* of Beill, *Campbell* of Ceſnok, ſir *Gilbert Ramſay* of Balmayne, ſir *John Hammiltoun* of Orbeſtoun, Juſtice-Clerk, ſir *Archbald Campbel*, ſir *William Dick*, *James Stuart*, *Edward Edgar*, *Thomas Paterſon*, *Robert Arnot*, *James Simſon*, *Patrick Leſlie*, *Thomas Bruce*, *George Bell*, *James Lentron*, *James Bell*, *John Kennedie*, *John Semple*, *George Gardine*, *George Fameſon*, *Richard Chaiplen*, *Gideon Jack*, *John Auchterlony*, Maſter *Robert Cunningham*, Maſter *Alexander Douglas*, *Andrew Gray*, *James Purves*, *John Binnie*, and *Andrew Daw*, or any ſeven of them, there being one of every Eſtate, to be the Committee to ſtay within the Kingdome, and do hereby authorize them with the charge of the whole affaires foreſaids within the Countrey; And nominates and appoints the ſaids *Archbald* Marqueſſe of Argyle, *William* Earle Marſhall, *William* Earle of Glencairne, *John* Earle of Caſsils, *Charles* Earle of Dumfermling, Earle of Balcleugh, *William* Earle of Lowthian, *John* Earle of Lindeſay, Earle of Dalhouſie, Vicount of Dudhope, *John* Lord Zeſter, *John* Lord Sinclare, *James* Lord Cowper, *George* Lord *Forreſter*, *Thomas* Lord Kircudbright, *Alexander* Lord Balcarras, ſir *Adam Hepburne* of Humbie, ſir *Arthur Erskene* of Scottiſcraig, ſir *Patrick Hepburne* of Wauchtoun, *Lindeſay* of Belſtane, Maſter *George Winraham* of Libbertoun, *Wauchop* of Nidrie, ſir *David Hume* of Wedderburn, ſir *William Scot* of Harden, *Scot* of Ardros, ſir *Thomas Ker* of Cavers, ſir *William Mure* of Rowallan, *Archbald Sydſerfe*, *James Raie*, *Hugh Kennedie*, *James Sword*, *George Porterfield*, *William Glendoning*, *John Rutherfurd*, *Thomas Macbirnie*, *David Simſon*, or any five of them, there being one of every Eſtate, to be the Committee to remaine with the Armies, and who are hereby authorized with

the government of the affaires of the Armies, and to give their beſt advice, counſell, and aſſiſtance, in what may conduce to the good and ſafety thereof. Which two Committees are to keep correſpondence and intelligence one with another, anent their proceedings, and condition of affairs, and are to give their Orders and Concluſions in maner as is above divided; Providing that none of the ſaids Committees enter in Treatie anent the Points and Articles in queſtion betwixt his Majeſtie and the Eſtates of this Kingdome, or betwixt the Kingdomes themſelves, without conſent of a *Quorum* of both Committees. And if any of the ſaids Commiſſioners places ſhall happen to vaike by deceaſe or otherwiſe, the reſt of the *Quorum* ſhall have power to make choice of another of that ſame degree to ſupply the places vacant. And with power to the ſaids Committees, and either of them, as they ſhall have occaſion, To conveen ſuch Noblemen, Barons, and Burgeſſes, for their advice and aſſiſtance, as they ſhall think fitting, and who are hereby warranted to aſsiſt them. And if a matter of importance doe occurre that requires the reſolution of the Eſtates, In that caſe the Committee remaining within the Kingdome has hereby power to call the Eſtates of Parliament. And the ſaids Commiſsioners ſhall at their firſt meeting accept their Commiſsion, and give their oaths for the faithfull diſcharge of that truſt committed to them, and fine ſuch of their number as ſhall not give diligent attendance at their meetings. In all which the Generall Officers of the Army are priviledged to be preſent. And it is hereby declared, That the whole perſons foreſaids, with theſe authorized in Commiſsion to the Kingdome of England, ſhall have place and voice in both Committees foreſaids, as they ſhall happen to be preſent. Firme and ſtable holding, and for to hold all and whatſoever things the ſaids Commiſsioners, or *Quorum* foreſaid, ſhall doe, in manner and for the ends above-written, they being anſwerable to the Parliament for their proceedings in this Commiſsion, which is to endure till the next Seſsion of Parliament. And the ſaids Eſtates of Parliament adds to this Commiſsion above-written, this power, *viz.* To exact Three Dollars from every Nobleman, Two Dollars for every Baron, and One Dollar for every Burrow, for ilk dayes abſence from the ſaid Committee within the times appointed and divided for their ſeverall attendance, according as ſhall be condiſcended by the ſaid Committee. And farther, grants power to the ſaid Committee, To depoſe ſuch as they ſhall think fit, for not attendance in keeping of the dyets of the ſaid Commiſsion, and to put others in their places.

ACT

ACT XXIX.

Act anent the chooſing of Commiſsioners out of the Members of Parliament.

26. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in *Anno* 1641: Findes and declares, That the election of any that ſhall be choſen Commiſſioners out of the number of the Barons, or Burrowes, in all time-coming, in any Commiſſion that ſhall be granted in Parliament, or Convention of Eſtates, for whatſomever buſineſſe or affaires, ſhall bee choſen by the Parliament, out of ane Liſt to bee ſet downe by the Commiſſioners of Parliament for ilke ane of the ſaids two Eſtates *reſpectivè*. And if any of the other two Eſtates ſhall deſire to adde any to that Liſt, they are either to name them of any of the preſent Members of Parliament, or otherwiſe, that they ſhal be ſuch as are capable to be Commiſſioners for each Eſtate *reſpectivè*: And not be admitted to bee of the Liſt, without conſent of the preſent Commiſſioners of that Body, to whoſe Liſt they are craved to bee added; and that the Body get twenty foure houres adviſement, according to the Order of the Houſe, before they give anſwer anent the qualification, ſufficiencie, and expediencie of that perſon that ſhall bee added: except hee be ane preſent Member of Parliament for the time, who ſhall be craved to be added. As alſo it ſhall bee lawfull to any of the three Eſtates, to adde to the Liſt of the other two.

ACT

ACT XXX.

Act concerning the Declaration at Oxford, and the Rebels in the North and South.

27. July 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in *Anno* 1641. Conſidering ane Act of the late Generall Aſſembly, upon the third of June laſt, concerning a Declaration made and ſubſcribed at Oxford, a Copy whereof was preſented to them by the late Convention of Eſtates, and from the ſaid Aſſembly now preſented in this Parliament, the tenour of the which Copy followeth:

AS it cannot bee but that all good men and loyall ſubjects are very much afflicted with the preſent lamentable and diſtracted eſtate of all his Majeſties Dominions, ſo we that are his Majeſties ſubjects of the Kingdome of Scotland, have great reaſon above all other to be grieved thereat: for beſide the common reſentment that every one borne under his Majeſtie ought to have of his undeſerved ſufferings, and the evils wherewith his Kingdomes are ſo afflicted, we muſt be more peculiarly touched for the honour and reputation of that our native Countrey, that is ſo deeply wounded by the perfidious treachery of ſome of her unnaturall brood, whoſe baſe and diſloyall proceedings reflect upon the whole, as if all were the like guilty of the ſame. And no marvell that ſome be miſtaken in this point, when they conſider that all their moſt treaſonable actions are countenanced with publick authority, and ſo may ſeeme to carry along with them the approbation of all. To take off this prejudice (which in the opinion of ſome that are ſtrangers to our affairs, may lay upon the generall Body of our Kingdome) ſo many of us his Majeſties faithfull ſervants as are here preſent, think our ſelves bound for ſatisfying of the world, but eſpecially the honourable Members of both Houſes, conveened here at this time (of whoſe juſtice and wiſedome we may expect that they will diſtinguiſh betwixt Faction and Nation, and in all their reſults ſo make it appear) to emit a Declaration of our judgements concerning our proceedings in that late pretended Convention of Eſtates in Scotland. And ſince that it may be ſeen how much wee loathe and abhorre the ſame, and are reſolved never to owne any thing that hath iſſued from them as an act of any lawfull or warrantable Judicatory: Wee doe therefore for our ſelves, and in name of all his Majeſties faithfull ſubjects of Scotland (that have in hatred and deteſtation the ſaid traitorous Convention with all that hath followed thereupon) utterly renounce and diſclaime the ſaid pretended Meeting, as preſumptuous and illegall, and called for no other end but to raiſe ſedition

and

and rebellion in that Kingdome, with all Commissyes generall or particular, following from the same, and all Ordinances and Decrees made and given therein: And particularly, especially that Act concerning that traiterous and damnable Covenant, drawne up and taken betweene them and the Rebels here, which wee most heartily detest, and shall never enter therein by force, perswasion, or any other respect whatsomever; as also all Acts and Orders, authorizing the levying of Armies, under colour whereof, the present rebellious Army there is gathered together; which wee esteeme an Act of high Treason, and hold our selves obliged by vertue of our allcadgeance, and to that Act of Pacification, to withstand and oppose the same. Likeas wee faithfully promise upon our honour every one of us, to leave no meanes unattempted, to suppresse the saids Rebels, now in Armes against his Majestie and his Crown of England. From all the faithfull subjects whereof, but especially the honourable Members of the two Houses here conveened, wee will expect such countenance and assistance, as wee may be the better enabled thereby to prevail against their & our common enemies, and whereby it may be seen, that they will not suffer the Rebels on both sides, to go before them in this point, and leave nothing undone in so bad a cause to strengthen one another. And because wee will take all such of our own Countreymen as wil not joyn heartily with us in this our Declaration, and in the courses to be taken for the prosecution thereof, for enemies both to his Majesty and us, if for such of them as are here, it were not expedient we should know how to esteem of them, The honourable Members of both Houses may bee pleased to take it to their consideration: Our desire is, that the honourable Members of both Houses here conveened, would joyne with us in a requeſt to his Majestie, That what Scottishman soever shall refuse to set his hand to this Declaration subsigned by us, may not be permitted to live under his Majesties protection, but be chased from among his Majesties loyall subjects, as a partaker, in affection at least, with the odious rebellion of both Kingdomes.

And as the said Declaration being examined by the Assembly, was found to be a perfidious Band, and unnaturall confederacie, to bring this Kirk and Kingdome to confusion, and to bee full of blasphemies against the late solemne League and Covenant of the three Kingdomes, and of vile aspersions of Treason, Rebellion, and Sedition, most falsely and impudently imputed unto the Estates, and the most faithfull and loyall Subjects of these Kingdomes: So the saids Estates having re-examined the said Declaration, Declare their judgement to be the same thereanent: And therefore, according to the recommendation of the Assembly, that a publick and perpetuall note of ignominie may be put upon that Declaration, Ordains the said Copy thereof to be burnt at the Market-crosse of Edinburgh by the hand of the hangman now presently. And seriously recommends to the Commission for trying and censuring Delinquents, the exemplar punishment of the subscribers of that, or the like Declaration or Band, and of all such as have been accessory to the framing, or have been or shall be accessorie to the execution thereof, according to the merit of so treasonable, unnaturall, and impious ane offence. And sicklike the saids Estates taking to their consideration ane other Act of the said Assembly, of the same

ſame date, concerning their proceedings againſt the Rebels in the North and South, Do unanimouſly approve the ſame; And according to the Aſſemblies deſire therein, as they have alreadie cenſured and puniſhed ſome of the ſaids Rebels, ſo do they alſo earneſtly Recommend to the ſaid Commiſſion to puniſh any others who ſhal be found either principall Actors in the ſaids Rebellions, or to have joyned therein, according to the merit and degree of their delinquencie.

ACT XXXI.

Act extending former Acts anent deſignation of Manſes and Gleibs to Miniſters.

27. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſty & three Eſtates, in *An.* 1641. Gives power to every Presbytery to deſigne Manſes & Gleibs to Miniſters at every Paroch Kirk within their ſeverall bounds where they have not been at all deſigned, or not to the full quantity, or where the Manſes and Gleibs are decayed, or become unprofitable by inundation, ſanding, or any other extraordinary accident, out of Kirklands, eweſt to the Paroch Kirk, according to the order in the Act of Parliament, in the year 1593. Borrowſtoun Kirks being alwayes excepted: And Ordains Letters to paſſe thereupon in the ſame way as they paſſed upon the deſignations of Biſhops, or others, having power to deſigne. And further the Eſtates declare, where there is no Kirklands or houſes formerly belonging to Parſons, Vicars, or any other Eccleſiaſtick perſons within the Paroch, or when the ſame are mortified to Univerſities, Schooles, or Hoſpitals, it ſhall be lawfull to deſigne out of whatſomever other Lands, or out of graſſe (where there is no arable Land) moſt commodious and eweſt to the Paroch-Kirks, Manſes and Gleibs, according to the quantitie contained in the former Acts of Parliament. Which deſignations ſhall have all the freedoms and priviledges granted to Gleibs or Manſes, by any former Acts of Parliament, ſuchlike as if the ſame were here particularly expreſſed. And ordains, that the whole Heritors of the Paroch contribute proportionally for making recompence to the Heritors, out of whoſe Lands the ſaid Manſe and Gleib ſhall be taken *reſpectivè, viz.* Heritors of Kirklands, when Kirklands are deſigned, and the Heritors of all Lands of other holding, when the deſignation is of other Lands nor Kirk-lands. It is alwayes declared, that the Heritors of the Land or Graſſe, eweſt to the Kirk which are not Kirk-lands, ſhall have libertie to offer any other Lands

Lands or Graſſe *reſpectivè*, belonging to them in the Paroch to be a Gleib, the ſame being good and ſufficient Land and Graſſe, in quantity and quality, and lying within half a mile of the Kirk, or Manſe, at furtheſt: which Land or Graſſe *reſpectivè* ſua offered, ſhall be deſigned for the Gleib, and the other Lands or Graſſe eweſt to the Kirk, ſhall be exeemed from deſignation.

ACT XXXII.

Commiſsion for the Iriſh affaires.

27. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in *Anno* 1641. Conſidering how neceſſary it is for the better regulating of the Forces imployed againſt the Rebels in Ireland, and carrying on of the Warre there, That Committees be appointed by advice of both Kingdomes to reſide in Ireland, Doe therefore nominate and appoint the Earle of *Levin* Lord Generall, the Marqueſſe of *Argyle*, the Earles of *Glencairne* and *Annandale*, the Earle of *Louthian* Lievtenant-Generall, the Generall of the Artillery, and Generall Major *Monro*, Sir *Frederick Hamiltoun*, the Lairds of Lauers, Grenok, Lochnaw, Biſhoptoun, Garthland, and Auchinbreck, Colonell *Hume*, for Glaſgow for Air for Irwing, or any five of them, Commiſſioners from this Kingdom: With power to them to repair to Ireland, and joyne with ſuch as ſhall be appointed by the Houſes of the Parliament of England, for carrying on of the Warre in Ireland, and regulating of the Forces imployed therein, according to the Inſtructions to bee given them from both Kingdomes, or the Parliament of this Kingdom, or their Committee. And in the mean time, til the ſaid Commiſſioners be appointed by the Parliament of England, with power to them to meet and give their beſt advice, aſſiſtance, and orders, for the good, welfare, and ſubſiſtance of the Scottiſh Army and Forces joyned with them. And the Eſtates declares, That the Commiſſioners above-named in this Committee, ſhall be of the great Committee of Eſtates that reſides at Edinburgh, and ſhall have place and voyce in that Committee when they are preſent there.

ACT XXXIII.

Act in favours of the Vaſſals, Creditours, and Cautioners of forfeited perſons.

27. *July* 1644.

THe Eſtates of Parliament now preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in *Anno* 1641. Conſidering that it is againſt all equity and reaſon, that the Vaſſalls, Cautioners, and true and reall Creditours of any perſon or perſons of whatſomever quality, that bees forfeited in this preſent Parliament, or at any time hereafter, ſhould be prejudged by the forfeiture of the ſaids perſons of their right of propertie of any Lands, Wodſets, and others holden by them of the ſaids forfeited perſons, or of the payment of their juſt Debts, and relief of their true and reall Cautionries; for payment and relief whereof, the ſaids forfeited perſons ſtands obliged: The ſaids Vaſſals, Creditours, and Cautioners *reſpectivè* foreſaids, not being airt, part, acceſſorie, nor aſſiſting to the crimes for the which the ſentence and doom of forfeiture is, or ſhall be decerned. Therefore the ſaids Eſtates findes, decernes and declares, That the Vaſſals of any perſon or perſons, of whatſomever qualitie, who are, or ſhal happen to be forfeited in this preſent Parliament, or at any time hereafter, for whatſomever cauſe, ground, or occaſion, whereupon ſentence and doom of forfeiture ſhall be given and pronounced againſt them, ſhall not bee prejudged anent their right & propertie of the Lands, Anual-rents, Wodſets, and others holden by them of the ſaids forfeited perſons; but that the ſaids Vaſſals ſhall bee in that ſame caſe and condition with theſe who comes in the right and place of the ſaids forfeited perſons, as the ſaids Vaſſals was with the ſamine forfeited perſons their ſuperiours, before the ſentence and doom of forfeiture; the ſaids Vaſſals nowayes being airt, part, acceſſory, nor aſſiſting to the ſaids forfeited perſons, in the committing of the crimes or deeds for the which the ſentence or doom of forfeiture is, or ſhall be given againſt them, as ſaid is. And alſo findes and declares, That the true Creditours and Cautioners of the ſaids forfeited perſons, or theſe who have any part of the Fynes aſſigned to them by the publick, ſhall nowayes be prejudged by the foreſaid forfeiture anent the payment to the ſaids Creditours, of their real, juſt, and true debts, owing & aſſigned to them, and anent the ſaids Cautioners their relief of their juſt and true Engagements and Cautionries: But that the ſaids Creditours and Cautioners *reſpectivè*, ſhall have

have action and execution for their payment and relief *respectivè* againſt the Lands and Eſtate of the forfeited perſons, their Debtours, ſicklike, and in the ſamine manner, as if they had not been forfeited. Providing that the ſaids Creditours and Cautioners have not beene airt, part, acceſſory nor aſſiſting to the ſaids forfeited perſons in the committing of the crimes, for the which they are, or ſhall be forfeited, with proviſion, that they be Vaſſals, Creditours and Cautioners, before the committing of the crimes, whereupon the forfeiture followes.

ACT XXXIIII.

Act for granting of Diſcharges to the Debtours of forfeited perſons.

27. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in *Anno* 1641. Conſidering that all the ſummes of Money, due and addebted by Heritable Band or Wodſet, or moveable Band or otherwiſe, to *Lodovick Lindſay*, ſometime Earle of Crawfurd, *Patrick Ruthven*, ſometime Earle of Forth, M. *James King*, ſometime Lord Ythan, doe now appertain to the Publick, and are ordained to be applyed for payment of the publick debts, by vertue of the ſentence of forfeiture pronounced againſt them, upon the 26. of this inſtant. And alſo conſidering that the Debtours of the ſaid ſummes, at the time when they ſhall pay theſe ſummes to the uſe of the publick, will require back again their own Bands, or other Sureties given by them to the ſaids forfeited perſons, which will be impoſſible to be done, in reſpect that the ſaids forfeited perſons hes the ſaids Bands & other ſureties themſelves. Therefore it is ſtatute and ordained by the Eſtates of this preſent Parliament, a Diſcharge to be granted by the Eſtates of Parliament, or by the Convention of Eſtates, or their Committees *reſpectivè*, to any of the Debtors of the foreſaids forfeited perſons, principal, or Cautioners, for any ſums of money which ſhalbe payed by them, or any of them, to the uſe of the publick, ſhall be in all time-coming, als valid a liberation to the ſaids Debitours, and to their Lands and Heritages, wodſet for the ſaids ſummes (if any be) as if the principall Bands and other Sureties were redelivered to the ſaids Debitors and Cautioners foreſaids: And as if the ſaids forfeited perſons were denuded *habili modo* of the ſaids rights, ſua that it is hereby declared, That the ſaids Debitors and Cautioners ſhall never be troubled in judgement nor out-with in time-coming by the ſaids forfeited perſons, nor any other having right flowing from them for the ſummes of money foreſaids. And declares the ſaids Bands and other ſecurities whatſomever, to make no faith in judgement, nor out-with the ſamine in time-coming.

ACT XXXV.

Act in favours of Burrows, anent the reparation of ruinous Houſes within Burghs.

27. *July* 1644.

FOrſameikle as the Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and the three Eſtates, in *Anno* 1641. Being informed, that upon the high ſtreets of ſundry of his Majeſties Burghs Royall, there are many ruinous Houſes, not inhabite diverſe years by-gane, and not likely to be repaired by any, and that in the publick view of all people reſorting to the ſaids Burghs, to the opprobrie thereof, and common ſcandall of this Kingdome, as being defective of all Policie and good order. Therefore the ſaids Eſtates Ordaines the Proveſt and Bailies of the Burgh where ſuch ruinous Houſes are, To cauſe warne and charge all perſons that hes or pretends right to the propertie of ſuch Lands and Biggings, or any Annuall-rents forth thereof, To cauſe big and repaire in ane decent way, within year and day, ſuch Houſes and Biggings as hes been ſeven years by-gane waſte and not inhabite, or elſe to ſell the ſamine to others, to be bigged within the ſamine ſpace of year and day, and to charge all known perſons, perſonally, or at their dwelling-places, and by open Proclamation at the Paroch-Kirk, or Market-croſſe of the Burgh, and all others, by open Proclamation at the ſaid Market-croſſe and Paroch-Kirk; And in caſe of their abſence out of this Realme, at the Croſſe of Edinburgh, and Peere and ſhore of Leith, upon threeſcore dayes: With certification to them and they failzie, The ſaids Proveſt and Bailies ſhall cauſe the ſaids Lands and Tenements to bee valued by certain perſons to bee choſen and ſwome by them for that effect, and ſell the ſamine Lands to any perſon that will buy them, and pay the price of the ſamine to the Owners, if they be knowne: And if they be not knowne, to conſigne the prices thereof in the hands of the Proveſt, ane of the Bailies, or Dean of Gild of the ſaid Burgh, to be forth-coming to theſe who hes intereſt thereto. And if no man will buy them, it ſhall be lawfull to the ſaids Proveſt and Bailies, after appriſing thereof, as ſaid is, and payment or conſignation of the prices of the ſamine, to caſt down the ſaids ruinous Houſes, and cauſe big the ſamine of new. Likeas, the ſaids Eſtates Declares, That it ſhall not be lawfull in time-coming, to any manner of perſon to purſue them nor their ſucceſſors therefore, nor pretend any right or intereſt thereto in time-coming, and the ſaid right to be ane perfect ſecuritie to the builders thereof, and their ſucceſſours, *ad poſſidendum in perpetuum*. As alſo the ſaids Eſtates Declares, That all ſuch Houſes and Lands as ſhall lye waſte, and not inhabited the ſpace of three years together hereafter, ſhall be in like caſe.

ACT

ACT XXXVI.

Ratification and Commiſsion for the Exciſe, anent the collecting thereof.

29 July 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates at Edinburgh, in *Anno* 1641. Having taken to their ſerious conſideration the courſe and way laid down by the Convention of Eſtates for raiſing and uplifting of Moneyes by way of Exciſe, for ſupply and relief of the neceſsities of the Armies raiſed and ſent forth by this Kingdome, for Reformation and Defence of Religion; Together with the Acts made and ſet down by the ſaid Convention of Eſtates and their Committee thereanent: And after mature deliberation, finding the ſame to be the moſt juſt and equall way, leaſt prejudiciall to this Kingdome, for raiſing and uplifting of Moneys, for ſupply and relief of the Armies, and for defraying of the publick Debts and Burdens contracted for that end:

Therefore the ſaids Eſtates of Parliament now conveened, Have ratified, allowed, and approven, And by the tenor hereof Ratifie, allow, and approve the Act made and ſet down by the ſaid Convention of Eſtates for impoſing and laying on of the ſaid Exciſe, to be up-lifted off the particular Goods and Commodities contained in the Table annexed thereto: With the Acts and Ordinances made and ſet down by the Committee of Eſtates anent the Regulating and up-lifting of the ſaid Exciſe, Together with all others Acts and Ordinances made and ſet down by the ſaid Convention of Eſtates and their Committee, or by the Commiſsioners for the Exciſe concerning the foreſaid Exciſe, and the in-gathering and up-lifting thereof. And the ſaids Eſtates of Parliament Ordain the foreſaids Acts and Ordinances, and every one of them, To have the full force of an Act of Parliament: Except allanerly in ſo farre as the ſamine are hereby altered and changed, In manner after mentioned: Of the which Act made and ſet down for impoſing and laying on of the ſaid Exciſe, and Acts for Regulating thereof, The tenor followeth.

At Edinburgh 31. January 1644.

THe Convention of Eſtates conſidering that this Kingdome having entred into a ſolemne League and Covenant, for Reformation and Defence of Religion, the Honour and Happineſſe of the

Kings

Kings Majeſtie, and the Peace and Liberty of the Kingdomes of Scotland, England, and Ireland: and in purſuance of theſe ends, being forced to levie an Army to be ſent into England: and that by the ſaid Covenant they are bound in Conſcience, Dutie, and for their owne Safety, To contribute their beſt endeavours in providing of ſome means for preſervation of Religion, Lawes and Liberties, from utter ruine; for reliefe of the neceſsities of the Armie ſent from this Kingdome for that purpoſe; and for ſome ſupply of the extreme wants of the Scots Army in Ireland. And alſo remembring that the great burdens of this Kingdome have hithertills lyne upon the well-affected, who did willingly embrace the ſame, whiles the Malignants were uſing all cunning wayes, both to free themſelves, and hinder others, Do finde it abſolutely neceſſar, that ſome conſtant, juſt, and equall way, leaſt prejudiciall to the Kingdome, and moſt beneficiall to the Cauſe in hand, be reſolved upon, for ſettling a ſolide foundation of a ſtock of credit and ſecuritie, whereupon ſummes of Money may be raiſed for the preſent ſupply, and future relief of the neceſsities of theſe Armies: And after ſerious deliberation have agreed, that the ſame ſhall be by way of Exciſe.

And accordingly Statutes and Ordains, that the ſeverall Rates hereunto annexed, ſhall be laid on all and every the Commodities following, over and above all Cuſtomes, and other duties due and payable for the ſame: And recommends to the Committee of Eſtates, To take ſome courſe how this Exciſe may moſt ſpeedily, and with leaſt trouble and expence to the Kingdome, be up-lifted thorow the Shires and Burrows thereof.

The Roll of the particular Commodities ſubject in payment of Exciſe, and of the Rates laid thereon.

ON every pinte of Ale and ſmall Beer ſold, to be paid by the Brewer or maker therof, and to be allowed to him in the price, or which any Houſe-keeper breweth for his owne ſpending, to be paid by every ſuch Houſe-keeper, Foure penies.

Beer or Ale exported for proviſion of Ships is to pay no Exciſe.

On forrain imported Beer every pint, Twelve penies.

On every pint of ſtrong Beer to be paid ſiclike by the Brewer, or Houſe-keeper, Six penies.

On every pint of French wine already imported, or to be imported, to be paid by the firſt buyer thereof (the buyer being a Vintner) after the ſale of the ſame: Providing it ſell before Lambmes next, Or by the Buyer for private uſe, immediatly after the buying, One ſhilling foure penies.

On every pint of Spaniſh wine, in like manner, Two ſhillings eight penies.

On every pint of Aquivitæ or ſtrong waters ſold within the countrey, Two ſhillings eight penies.

On every pound of Tobacco, Six ſhillings.

On

On every ſlaughtered Oxen, Bull, or Kine, of ſixteen pound price, or above, to be paid by the buyer or ſlayer, Twenty ſhillings.

And on every one of them under that price, Thirteen ſhillings four penies.

On all Oxen, Buls, or Kine tranſported, to be paid by the tranſporter for the peece, Twenty four ſhillings.

On all Sheep ſlaughtered or tranſported, at or above Fourty ſhillings price, to be paid by the ſlayer or tranſporter, Four ſhillings.

And under that price, Two ſhillings.

On all ſlaughter Stirks of eight pounds price or above, Six ſhillings eight penies.

Sicklike on every ſuch Stirke beneath that price, Four ſhillings.

On all calfes or goats of Fourty ſhillings price the peece or above, ſold, or for private uſe, Four ſhillings.

On each of them under that price, Two ſhillings.

On all Swine, Six ſhillings.

On all Lambs and Kids, Two ſhillings.

On the Merchandize of every elne of ſilk ſtuffe from five merks value to ten, to be paid by the buyer, Six ſhillings eight penies.

On every elne thereof above ten merks, Ten ſhillings.

On every elne of pluſh or panvelvet, Twenty ſhillings.

On every elne of ſattin, Thirteen ſhillings four penies.

On every ounce of gold or ſilver lace, Thirteen ſhillings four penies

On every elne of gold or ſilver cloth, Three pounds.

On every bever hat, Twenty four ſhillings.

On every half bever hat, Twelve ſhillings.

On every pair of ſilk ſtockins, Thirteen ſhillings four penies.

On every elne of broad cloth, not exceeding ſeven pounds. Retaitailed ſix ſhillings.

On every elne of cloth exceeding that price, Twelve ſhillings.

On each elne of narrow cloth, ſerges, and other worſet or hair ſtuffs imported, at or above Fourty ſhillings the elne, Two ſhillings.

On the elne of baiſe or freezes, at or above Thirty ſhillings the eln, Twelve penies.

On all cambricke, lawne, or holland cloth, for the value of every twenty ſhillings, Twelve penies.

On every elne of imported perline of threed or ſilk betwixt three and ſix pounds, Twelve ſhillings.

On the elne betwixt ſix and twelve pound, and ſo forth proportionably, Twenty four ſhillings.

On coale exported in Scots or Engliſh bottoms of the value of twelve pounds, Six ſhillings.

On all coal of the ſame value exported in forrain bottoms, Twelve ſhillings.

On every twelve pound value of all kinde or made-worke brought home, Thirteen ſhillings four penies.

All manner of work made within the Kingdome to be free of Exciſe.

This

THis Excise to begin upon the 10. day of February next to come; And to endure onely so long as the necessity of the Army shall require, and at the fartheſt but for ane yeare: And if the Parliament at their next meeting shall in place hereof finde out and appoint a better and more expedit way to provide money for supplying of the Armies, and paying the provision made to them in the interim, then this way of Excise is to cease.

And it is hereby declared, That the remainder of the brotherly assistance, The arrears due to the Armie in Ireland, And what shall be due for maintenance of this Army, and all other summes addebted to this Kingdom by the Kingdom of England being paid, and therewith all publick debts and burdens of this Kingdome, with what shall bee due to the Armies being defrayed, The remainder thereof over and above this defrayment, shal be imployed for repayment of the Excise, in manner following, *viz.* What ever shall be the proportion of the Excise gotten within the Town of Edinburgh, and Liberties thereof, The equall halfe of the same shall be repayed to the Magistrates and Town Councel for behoof of the said Town. And every other Burgh shal have repetition of the twa part of the proportion of Excise furnisht by them. And the remainder not allowed to the Burghs in manner foresaid, shall be given proportionable for the publick use of the severall Shires, according to the quantity of Excise paid by them.

At Edinburgh 15. *February* 1644.

FOrsameikle as the Estates of this Kingdome finding it necessary that some means should be provided for settling a Stock of credit or security, whereupon Moneys may be raised for supplying the necessities of the Armies sent from this Kingdome into England and Ireland, did by their Act of the last of January unanimously agree and Ordaine, that the same should be by way of Excise, and recommended to the Committee of Estates to take the best way how the same might bee most speedily and with least expence managed and uplifted: And the Committee of Estates having taken the same to their consideration, they have thought fit, and accordingly concluded and agreed upon the Acts following, as most conducing to the better regulating and up-lifting of the Moneys to be raised on this Excise: And Ordaines the same to be Printed, and published at the Market-Crosses and Parish-Kirks of the Kingdom, wherethrough none pretend ignorance of the same:

Of which Acts the Tenor follows.

THe Committee of Estates think fit, that for the better ordering of this Excise there should be a Commission settled to have the charge thereof; And for that purpose nominate and appoint *John* Earle of Lauderdale, *John* Lord Balmerinoch, and *Robert* Lord Burghlie, Sir *Patrick Hammiltoun*, Sir *Michael Balfoure* of Denmylne, Maſter

ſter *James Reid* of Pitlethie; Sir *John Smith* Proveſt of Edinburgh, *John Semple* Proveſt of Dumbartan, and *James Stuart* Merchant in Edinburgh, or any three of them, and the Lord Chancellour to be ſupernumerarie, to bee Commiſſioners of Exciſe; With power to them to governe the whole Office of Exciſe, To make Acts and Conſtitutions for the better regulating thereof, and the more ſpeedie upliſting of moneys to be raiſed thereupon, and to ſee the ſame put in execution: With power alſo to them, To nominate, appoint, cenſure, or diſplace, as they ſhall finde occaſion, all ſubordinate Officers, as Collectors, Surveyers, Keepers of the Regiſters of Entries and Accounts, and all other ſubſervient Officers: and at their Entries to take their oathes and ſuretie for the faithfull diſcharge of their Offices, and to allow them ſuch yearly and proportionable allowances for their paines, as they with approbation of the Committee of Eſtates ſhall think fitting.

As alſo with power to them, To call to an account, als oft as they ſhall think fitting, the Theſaurer of Exciſe, Collectors, Surveyers, and others Intrometters; And to keep in record all the moneyes and Entries that ſhall come into the Office, to be repreſented by them to the Eſtates or their Committees, as the ſame ſhall be called for: And generally with power to them to do every thing that may tend for the right regulating of this Exciſe, and to give their oathes *de fideli adminiſtratione*. This Commiſſion to endure ay and while it be recalled by the Eſtates or their Committees, to whom the Commiſſioners are to be anſwerable for their proceedings.

Theſaurer. Likeas the Committee of Eſtates nominates and appoints to be Theſaurer of this Exciſe, With power to him and his ſervant or under-Receiver, for whom he ſhall be anſwerable, to receive the whole Moneyes of Exciſe from all the Collectors thereof, and to diſburſe the ſame as he ſhall receive warrant from the Eſtates or their Committees, without whoſe warrant he is to diſburſe nothing, except the ordinary allowances, and other incident neceſſaries belonging to the Office, as hee ſhall bee warranted by the Commiſsioners of Exciſe: And the Theſaurer is hereby appointed to make and deliver a faithfull and true account of all Receipts and Diſburſements to the Commiſſioners or *Quorum* thereof monethly, or oftner, as he ſhall be required by the Eſtates or their Committees, and ſhall give his oath and finde caution for the faithfull account and diſcharge of his Office.

Regiſters and Clerks. It is alſo ordained, That there be a Regiſter belonging to the Office, who ſhall keep a book, wherein are to be inſert all the receipts of moneyes raiſed upon this Exciſe (being allowed by the Commiſsioners) according as the ſame ſhal be given up by the ſeveral Collectors in Burghs and other places in the Countrey. Wherein alſo are to bee inſert the names and ſurnames of the Collectors thereof, and of the ſeverall places and Pariſhes whereout of theſe ſummes were collected, with the date of the deliverie thereof to the Theſaurer. As alſo all

Extracts that the Surveyers ſhal take out of any note or Book belonging to the Cuſtome-houſes, and entries to be made by the Surveyers of exciſeable Goods, remaining in Cellars, Store-houſes, or any other places or houſes of any perſons that ſells, buyes, or ſpends any of theſe Commodities.

And this is to bee without prejudice of the Office of Clerk to the Exciſe and his Deputes, who are to minute and frame all Acts and Warrants that comes before the Commiſſioners, or iſſueth from them, and keep a Regiſter thereof, write Miſſives, and do every other thing incumbent to the Office of a Clerk.

Collectors. The Collectors are to receive and leavie money of all exciſeable Goods, within the bounds appointed to them: And to receive from the Surveyers of theſe bounds, the Inventar of exciſeable Commodities, conforme to the Survey: or they themſelves may enquire and take up the Exciſe, as they ſhall think beſt for the Service. The Collectors of the Shires of Edinburgh, Lithgow, Haddintoun, Berwick, Roxburgh, Peebles, Lanerick, Stirling, Perth, Fyffe, Forfar, Clakmannan, and Kinroſſe, ſhall the ſecond Tueſday of March next, come to the Office of Exciſe, and bring in the Exciſe money payed the moneth before; they ſhall enter the ſame in the book of Office, and then by warrant deliver them to the Theſaurer. Upon the ſecond Tueſday of April, the Collectors of the Shires of Renfrew, Dumbartan, Argyle, Tarbet, Bute, Air, Dumfreis, Stuartie of Kircudbright, Wigtoun, Kincardin, Aberdene, and Bamff, ſhal do the like ſince the tenth of February. And upon the ſecond Tueſday of May, the Collectors of the Shires of Murray, Innerneſſe, Nairne, Sutherland, Cromartie, Caithneſſe, Orkney, and Zetland, ſhall do the like ſince the tenth of February laſt. And the Collectors are to do every other thing as they ſhall be warranted by the Commiſſioners.

Surveyers. The Surveyers are hereby authorized and warranted, To enter the Cuſtome-houſes, ſearch, view, examine, take Copies of any Cuſtome and Impoſt-book belonging thereto; As alſo to enter the Sellers, Store-houſes, Brew-houſes, or any other houſes or places belonging to any perſons, that ſels, buyes, or ſpends any of the ſaids Commodities lyable to Exciſe: And to take Inventar thereof for the Collectors uſe, in levying the Exciſe-money. They are alſo to performe this Service, as they ſhall be commanded by the Commiſſioners.

Subſervient officers. The Subſervient Officers are hereby authorized with power, To make ſearch for un-exciſed Goods, and of all thoſe who ſhall refuſe to make true entrie of their exciſeable Commodities: And to ſummond offenders before the Commiſſioners: And to do any other thing competent to ſuch Offices, as they ſhall bee warranted by the Commiſſioners.

Ale and Beer. And that their Officers may the more readily performe their ſeverall charges, and the Exciſe-money timeouſly lifted, It is ſtatute and ordained, That all Importers, or Brewers of Beer to Burgh or Land, for ſale, or private uſe within this Kingdome, ſhall weekly deliver to the Collector of Exciſe, or Surveyer, a true and perfect Liſt of the Beer

Beer weekly brewed, or imported by them, as ſaid is: And that they pay the Exciſe to the Collector weekly, and the Brewer for private uſe monethly: And both are to give up an accompt, and make payment, as aforeſaid, under the pain of forfeit of the double of the Beer concealed; Beſide, that the Brewer or Importer for ſale, ſhall be diſcharged his Trade for a year thereafter: And this failzie to be proven by any lawfull manner of probation.

And it is declared, That the Exciſe of Ale and Wine ſhall be uplifted, according to the ſeverall Rates in the Table of Exciſe, allowing to every Boll of brown Malt, containing foure Furlots of prickmet, within the Kingdome, fifteen Gallons of Ale; and to every Tunne of Wine ſixtie Gallons. And it is ordained, That the buyer of Ale, Beer, or any other Merchandiſe exciſeable and retailed, ſhall notwithſtanding of the truſt of the ſtock, bee obliged to pay the Exciſe in ready money.

It is ordained, That all Malt-men in Burgh or Land, ſhall keep a Book, wherein ſhall be inſert all the Bols of Malt made by them, and the names of all the Buyers thereof, with the quantity ſold to every perſon, and what quantity they brew themſelves, and which Book or double thereof, the ſaid Malt-man ſhall deliver under his hand to the Office of Exciſe, Collectors, or Surveyers, when he ſhall be required; and failing herein, hee ſhall confiſcate all his Malt concealed and not given up, as ſaid is.

Likewiſe it is ordained, That all Millers ſhall declare and give up to the Collectors and Surveyers as they ſhall be required, of all the Malt ground at their ſeverall and reſpective Milnes every week, under all higheſt pain, and as they will be anſwerable to the Commiſſioners of Exciſe.

Whereas a great quantity of Malt is uſually tranſported to the far High-lands; It is ordained, That the buyers and tranſporters ſhal pay the Exciſe to the ſellers thereof, notwithſtanding they buy the ſame upon truſt, and take a Titket of payment of the Exciſe, which being produced to the Collector or Surveyer where they live, ſhall be freed of the Exciſe; otherwiſe ſhall pay the Exciſe, and forfeit the whole Malt concealed.

It is alſo ordained, That the Cuſtome and Impoſt-books, be made patent to the Surveyers, or other Officers of Exciſe, who are ordained to take a note of the ſame, and of the Wines entred therein: Beſides, That the Merchant-Venturers or Owners, ſhall be obliged to declare to whom he hath ſold the ſame, Vintner or other perſon whatſoever; and what they ſell for private uſe, that the firſt Seller or Importer ſhall be lyable for the Exciſe thereof, which is to be payed in by the Buyer for private uſe to them before the delivery thereof, notwithſtanding the Wine it ſelf is taken upon truſt. And for ſuch Wines as the Merchant-Venturer hath before this time ſold and delivered for private uſe, It is ordained, That the buyer or receiver ſhall be obliged to give up an accompt thereof to the Collector or Surveyer of the Exciſe, and pay the Exciſe thereof; As alſo that the Vintner give up *Wine.*

a weekly accompt to the Collector or Surveyer what they sell; and pay Excise accordingly: Wherein if either the buyer of Wine for private use, or the Vintner shall failzie, they are to forfeit the double avail of the Wine, concealed and not payed for: Besides, That the Vintner shall be discharged sale of Wine for a year. And this failzie to be proven as of before.

Aquavitæ and strong Waters. That all makers and sellers of Strong-waters and Aquavitæ, give up a true Inventar under their hands to the Office of Excise, or to the Collectors and Surveyers of the bonnds where they dwel, as they shal be required, of all the Strong-waters and Aquavitæ made by them before it be sold, & after it is sold, give up a list of the first buyers thereof, with the quantitie sold to every person; to the effect the Excise may be tried and payed to the Publick. And it is declared, That the maker or seller of the saids Strong-waters, shall pay the Excise after they be sold, and take the Excise from the first buyer. And if the maker or seller failzie to give the said Inventar or List, or if the famine shall be improven according to the Laws of the Countrey, the said maker or seller shall forfeit the value of the Strong-waters so concealed and improven. Likeas the first buyers of Strong-waters for sale, shall give an accompt of all the Strong-waters and Aquavitæ lying in their hands as yet unsold, and of what they have sold, after the tenth of February instant, to the Collectors or Surveyers within their bounds: To the intent what is sold after the said day, may pay Excise, and failing herein, to forfeit the value of the waters not compted and Excised. And the maker or seller paying the Excise, shall give a ticket to every other seller of the said Strong-waters, certifying that the Excise is payed; and whoso shall not instruct the payment of Excise by the ticket foresaid, shall be lyable in payment of the Excise, and forfeit the value of the Waters not excised.

Merchant Wares. And whereas it is the custome of all Merchant Ware excised, That at the receiving of their Goods, they make Entrie to the Office of Excise, and pay the Excise before they retaile the same: Or otherwayes that the Surveyers enter their Shops, Ware-houses, or such other places where their Goods may be apprehended, and take oaths for help and qualification, and confiscate the double of what is concealed for the first fault; Yet notwithstanding, for the ease and better accommodating the Merchants Traders with Excised Goods in this Kingdome; It is ordained, that the Retailers and Sellers of Goods chargeable with Excise, shall monethly give in to the Commissioners of excise, or any having their warrant, a Book subscribed by their hands, containing a note and an accompt of all the severall Goods and Commodities Exciseable and sold by them within that moneth, with the dayes of the moneth, and persons names to whom they were sold, and pay the Excise accordingly. And the failzie or omission herein, to be the triple of the price of the Commodities omitted or concealed, and to be proven as aforesaid.

And it is ordained, That all Exciseable Commodities that are bought by a Shop-keeper or Retailer from another, the first Retailer

or

or Shop-keeper is lyable in payment of the Excise. Also whatsoever Commodities are bought by others then Shop-keepers, for private use from the Importer, the Importer or first Seller is liable for Excise. And whatsoever Commodities are bought from any Importer, by any other Burger in any other Burghs, or by any Merchant that keepes Booth, the first buyer from the Importer payes the Excise in the place where he lives. And therefore it is hereby declared, that the first Importer is onely liable to pay the Excise of those Goods he sels to any that have no residence within Burgh, or Chapmen that have no constant residence, but travels with his Pack thorow the Countrey. And therefore upon the Importers certificat of the first payment of Excise, these parties are free.

It is also ordained, That the Deacons of Fleshers within Burgh, or any Flesher elsewhere, shall give up the names of all the Masters of their Calling, and the names of all those that presenteth Fleshes to be sold in Markets: And that every Master shall give up the names of all their Servants and Slayers, And that the Fleshers and Slayers of Oxen, Buls, or any slaughtered Goods, mentioned in the Table of Excise, in Edinburgh, Leith, Cannongate, or Liberties thereof, Potterraw, Westport, or Pleasance, shall compeir on Monday of every week before the Commissioners of Excise, beginning the fourth Munday of February, the 26. day of the Moneth: Bringing with them a List of all the slaughtered and sold Goods from the tenth of February, to the intent they may pay the Excise thereof; And failing of compeirance or paying the Excise, they shall forfeit the price of each Beast concealed, *toties quoties*; And failing thereof, shall be imprisoned, till they make payment of all by-gone Excises and forfeitures unpayed: as also finde caution for their appearance, and paying of Excises and forfeits they shall incurre in time-coming, and be discharged of that Calling during the pleasure of the Commissioners of Excise. *Fleshes.*

It is also ordained, That every Porter, or any other that shal be appointed within Burgh, shall keep a Book, to be given in under their subscription and declaration to the Commissioners, wherein shall be insert the number and severall kindes of all excisable Beasts, both slaughtered and unslaughtered, that entereth within the Ports thereof, with the names of the persons to whose behoof those Beasts are brought in. And the said Porter, or other appointed, shall receive the Excise of the slaughtered Goods from the in-bringer thereof, not shewing a ticket from the Surveyer, that it is already payed; otherwayes he shall take the Excise, and give a ticket to warrant him at all other Surveyers hands, and deliver the same to the Collector. And whosoever buyeth Skinnes or Hides of slaughtered Goods within Burgh, shall keepe a Booke to be given in under his subscription and declaration, wherein shall be insert the names of the Fleshers, and Sellers of the Skinnes and Hides within the saids Burghs, that the more exact triall may be had of all the slaughtered Goods therein, lest the Publick be defrauded of the benefit of the same. And if the saids Buyers of Skinne and Hide neglect to bring in this Book monethly, and oftner,

as they ſhall be required, they ſhall forfeit all the Skinnes they have coſt and not given up; and this concealment to be proven, *ut ſupra*: and the like or any other courſe ſhall be taken by the Commiſſioners for the reſt of the Kingdome in Burgh or Land. The Exciſe of Fleſhes is to be payed by the Slayer or Fleſher for ſale; And ſicklike by any that have of their own, whether payed by their Tenants, or of their own pleniſhing.

Tobacco. Touching Tobacco, It is ordained, that all the Cuſtome and Impoſt Books bee patent to the Office of Exciſe, or to the Collectors and Surveyers, to the intent an entry may bee knowne for the Exciſe; And that all Skippers, Mariners, and owners of Tobacco, are obliged before they put out any Goods out of their Ships and Veſſels, to make a true entry thereof under their ſubſcription, and upon declaration, under the pain of confiſcation of what is concealed. And that they give up an Inventar of all the Tobacco Imported in their ſhips or veſſels, with the names of the Owners thereof; and that no takſman ſhal take entry of other Goods, till the whole Tobacco be entred: to the effect it being ſold, the Exciſe may be payed to the Publick, for which the Owners ſhall be lyable; and ſhal keep a Book, which under their hand-writing, and upon declaration, they ſhall produce to the Commiſſioners, Collectors, or Surveyers, as they ſhall be required, in which Book ſhall bee inſert the names and ſir-names of all the buyers, with the quantity bought by every one.

And it is ordained, That the firſt ſeller of Tobacco ſhall give a ticket to every buyer, ſhewing the Exciſe thereof payed to the Publick: And if the buyer cannot inſtruct payment of the Exciſe by this ticket; he is to be lyable in payment of the Exciſe by and attour the confiſcation of his Tobacco.

And for tryall of all Tobacco already imported, and yet unſold within the Kingdome; It is ordained, that Shop-keepers, Taverners, Ale-ſellers, or other ſellers of Tobacco whatſoever, ſhal be obliged to give a true Inventar and accompt of all the Tobacco lying in their hands, or what they have ſold, after the tenth of February, to the office of Exciſe, or to the Collectors and Surveyers within the bounds where they dwell: Which if they delay, till ſearch and triall be made thereof, they ſhall be lyable to the double of the Exciſe by and attour the confiſcation of the Tobacco. And it is ordained that all Skippers, Mariners, or Owners of Tobacco, when they make entry of the ſame, ſhall finde caution to make payment of the Exciſe after the ſale thereof.

Coal tranſported. It is ordained, That all Coale-Maſters bee obliged to cauſe their Grieves at the loadning of any Ship, or other Veſſell with Coale, to be tranſported out of the Kingdome, keep a Book, wherein ſhall be inſert the juſt price of the loadning of the ſaid Ship or Veſſell, with the name of the Ship, Maſter, or Skipper, and date of loadning, which book, or double thereof, he ſhal give up under his hand-writing to the Collector or Surveyer, the firſt Tueſday of every moneth, beginning the firſt Tueſday of March next to come, for the Exciſe payable after the

the tenth of February before: As alſo the Maſter and Owner of the Coale, ſhall upon his honour and credit ſubſcribe the Book foreſaid, that it is juſt and right to their beſt knowledge. And failing of the giving up of the ſaid Inventar, and paying of the Exciſe thereof, the Maſter and Owner of the Coale ſhall pay the triple of the concealed Coale.

Beſtiall tranſported.

It is ordained, That all Takſmen of the Cuſtoms on the Borders, for the Beſtiall driven into England, ſhall keep a book, and give in the ſame under their ſubſcription and true declaration to the office of Exciſe, wherein ſhal be inſert the number and ſeveral kind of beaſts, with the names of the Drovers, and dayes of the moneth when they paſſe; and ſhal be comptable for the Exciſe thereof foure times in the year and oftner, as they ſhal be required. And failing of their compearance, compting and paying, ſhal forfeit the triple of the Exciſe foreſaid.

Ale and Beer tranſported.

It is ſtatute and ordained, That no Brewers, ſellers of Ale or Beer, give any Beer or Ale to Skippers for proviſion of their Ships, before the Skipper deliver to them a Warrant and Licence for the quantity of the ſame from the Collector or Surveyor within the bounds where they load their Ships, or (in their abſence) of the Magiſtrate of the bounds, to the intent they take in no more Beer nor Ale under that pretext, nor may be judged ſufficient for the voyage. And in caſe of the deliverie of any Beer or Ale, without the Warrant foreſaid, the the ſaids Brewers or Sellers ſhal pay the double of the Exciſe of all Beer and Ale, ſo and without Warrant delivered by them.

Made work imported, which is the explanation of the penult Act contained within the printed Table of Exciſe.

It is ordained, That all kinde of made Work, brought home and ſold, *viz.* Braſſe-Chandlers, Spurres, Bridle-bits, Stirrop-irons, Horſe-combs, Knives, mounted-Swords above ten marks, or Guards above the ſame price. All manner of Saddles, Saddle and Horſe-graith, Goldſmith-Work of all ſorts of Plate, Rings, Jewels ſet or unſet. All forreine Pewter, Hangins, Tapeſtrie, mounted-Beds, Stools, Chairs, Cuſhions, Carpets, Blankets, Rugs, Coverings, Feather-beds, Cods, Bowſters, Quilts, Trunks, Chamber-ſtools, Hat-caſes, Caves, Cabinets, and Cloak-bags, Gloves, and Purſes of all kinde. All made Work of Holland, Cambrick, Lawn, Tiffanie plain or laced, Needle or Cut-Work, Muffs, Fannes, Feathers, Pokes, Embroidered Caps and Slippers or with Lace, drinking Glaſſes, wrought Petticots, and Waſcots, Clocks, Watches, and Munters, Boots and Shooes, ſhal bee given up by the Merchants-ſellers thereof, under ſubſcription and declaration to the Commiſſioners, Collectors, or Surveyors, and pay the Exciſe thereof for every twelve pound value 13. ſhillings 4. pence: And failing of giving up, or paying the Exciſe, to forfeit the worth of the Goods concealed.

The Committee of Eſtates, Ordains the Commiſſioners of every Pariſh, and Collectors of the bounds joyntly, to appoint the Surveyors, to take ſufficient caution of them, and adminiſter to them the oath for faithful adminiſtration. And the Surveyor ſhal give in their weekly or monethly accompts to the Commiſſioners of every Pariſh, who ſhal ſubſcribe the ſame joyntly with the Surveyor, and upon their credit

credit and honour, to their best knowledge, testifie the truth of the saids accompts; to the intent there may be a true charge to the Collectors of Excise: And also that the Collectors shall give in the double of the Surveyors book so subscribed, with their own books, under their hands and declaration to the Commissioners, that the accompts of moneys therein contained are just and true.

If any person or persons, lyable in payment of Excise, shall refuse conceale, or neglect to pay the same, according to the rates contained in the table of Excise, or do any thing contrary thereto, the same being proven before the Commissioners, they shall forfeit the triple of the value of the Goods or Commodities so by him concealed or not payed: And the Commissioners hath hereby power to give order for poynding the readiest of the offenders Goods, and commit them to prison till they pay the forfeit; And that the Informer shal have payed him from the Thesaurer, which shall be allowed him, the third part of any forfeits that shall accresse by his information. And it is ordained, that all confiscate goods, fines, forfeits, and penalties, taken by the Collectors or Surveyors, or other Officers, shall be payed to the office of Excise, with the Excise moneys payable by them, the same confiscate goods and penalties being insert in a booke, with the names of whom they were taken, and for what causes; which book they shall give in to the office under their hand, and upon declaration, allowing the third part to the Informer, as is aforesaid.

The Commissioners of Excise have hereby power and authority to call before them any person or persons they shall think fit, to enforme and testifie touching all and every one of the saids ordinances in the Excise, and to examine any persons upon oath for the better discoverie of any fraud or neglect in the not entring of any commodities to be entred, or not paying the Excise, conforme to the ordinances made thereanent; Which oath the Commissioners, or any they shall appoint by their hand-writings, shall have power to administer, and the testimony of two credible witnesses to be sufficient in that behalfe.

It is hereby ordained, That all Commissioners, Thesaurers, Clerks, Registers, Collectors, Surveyors, or other Officers of Excise, and all other person or persons who shall do any thing in execution or performance of any ordinance of the said office, shall be therein from time to time protected and saved harmlesse, by the power and authority of the Estates and their Committees.

Like as all Provests and Bailies within Burghs, Sheriffs, Stewarts, Bailies, Constables, and their deputes, and other Magistrates to Burgh and Land, and all Colonels and Committees of War in the Kingdome, for the time, are hereby commanded and ordained to be aiding and assisting to the saids Commissioners and Officers of Excise, and every one of them, in the execution of their severall offices and articles therein contained: and that they have a specaill care that the Excise of Beer and Ale, Wines, Flesh, and other things, be duly payed, and the refusers punished, according to the Statutes in that behalfe made:

And

And hereby they faile not, as they will be anſwerable to the Eſtates, or their Committees.

And albeit by the foreſaid Act made and ſet downe by the Convention of Eſtates, the ſaid Exciſe is onely appointed to endure for the ſpace of a yeare after the tenth day of February laſt by-paſt; Yet in reſpect the publick debts and burdens of this Kingdome are increaſed, and daily increaſing, not onely by ſupplying of the neceſſities of the Armies firſt ſent to England and Ireland, but alſo by raiſing and maintaining of new Armies for reſiſting of the late Invaſion on the South Borders, and ſuppreſſing of the inſurrection in the North; The ſaids Eſtates of Parliament do hereby declare, ſtatute, and ordain; That the foreſaid Exciſe, and the collecting and up-lifting thereof, ſhal now begin upon the firſt day of Auguſt next to come, in this inſtant yeare of God 1644. years, and ſhall continue and endure untill the firſt day of Auguſt thereafter in the year of God 1645. years. And what-ever Exciſe is already uplifted or exacted for Ale, Beer, Wine, or any other Commoditie whatſoever contained in the Table of Exciſe, by the Collectors, Brewers, Vintners, Fleſhers, Merchants, or any others perſons whatſoever, ſince the tenth day of March laſt by-paſt: The ſaids Eſtates of Parliament ordaine the ſame to be uplifted, collected, and payed to the Theſaurer of Exciſe for the uſe of the Publicke.

And the ſaids Eſtates of Parliament, Declare, ſtatute, and ordaine, That the Exciſe of the Ale and Beer ſhall be payed by the Brewer, either for ſale or private uſe, according to the rate of foure pennies for ilk pinte of Ale and Beer ſtrong and ſmall over-head, counting and allowing fifteen gallons for ilk Boll of Malt brewed in Ale, and twenty gallons for ilk Boll of Malt brewed in Beere ſtrong and ſmall over-head; And the Brewer for ſale, for his reliefe, ſhall exact from the buyer for ilk pinte of Ale or ſtrong Beer four pennies, and for ilk pinte of ſmall Beer two pennies.

Item, The ſaids Eſtates of Parliament declare and ordain, That Beer and Ale for proviſion of Ships ſhall no wayes be freed and eximed from payment of Exciſe, but ſhall be lyable and ſubject in payment thereof, notwithſtanding of the exemption contained in the Act and Table of Exciſe; which exemption is hereby diſcharged.

Item, The ſaids Eſtates of Parliament diſcharges hereby all Vintners of Wine to exact hereafter the Exciſe of any Frenth Wine already imported; And ſtatutes and ordains, That the new French Wine to be hereafter imported, ſhall be lyable and ſubject in payment of a full years Exciſe. And ordaines the Exciſe of the Spaniſh Wine to ſtand and bee uplifted and exacted from the ſaid firſt day of Auguſt next to come, during the ſpace above-written.

Item, The ſaids Eſtates of Parliament for eaſe to the Merchants doe hereby declare, That the Merchant Wares brought home before the firſt day of March laſt by-paſt, ſhall onely be lyable in payment of

the halfe of the Exciſe thereof contained in the Table, after the ſelling of the ſame, To be cleared by the Merchants declaration upon oath.

And the ſaids Eſtates of Parliament, finding it neceſſary that a Commiſſion be given to ſome able perſons, who may have the ordering of every thing concerning the ſaid Exciſe, and the ſpeedy uplifting thereof; Have nominate and appointed, and hereby nominate and appoint, *John* Earle of Lauderdaile, *John* Lord Balmerinoch, *Robert* Lord Burleigh, *George* Lord *Forreſter*, *Patrick* Lord Elibank, Sir *John Hope* of Craighall, Sir *Patrick Hammiltoun* of Preſtoun, Sir *Gilbert Ramſay* of Balmaine, Sir *Michael Balfoure* of Deanmylne, Maſter *James Reid* of Pittlethie, Sir *John Smith* Proveſt of Edinburgh, *John Semple* Proveſt of Dumbartan, *James Stuart*, *John Binnie*, and *Laurence Henderſon* Merchants Burgeſſes of Edinburgh, and *John* Earle of Lowdoun, High Chancellour of Scotland, to be ſupernumerarie in this Commiſsion, or any three of them, to bee Commiſsioners for the Exciſe. And the ſaids Eſtates of Parliament have given and granted, and hereby give and grant, full power and warrant to the ſaids Commiſsioners, or any three of them, as ſaid is, to governe the Office of Exciſe, and to nominate and appoint Collectors, Surveyers, and others under-Officers; And to make and ſet downe all ſuch Acts and Ordinances as they ſhall finde neceſſary and expedient for the ſpeedy up-lifting of the ſaid Exciſe, and to ſee the ſame put to execution. And alſo to call before them all perſons whatſoever, who ſhall happen to violate or tranſgreſſe any of the Acts and Ordinances made or to bee made and ſet downe anent the Exciſe, or who ſhall happen to doe or offer any wrong or injurie to the Collectors, Surveyers, Meſſengers of Armes, or any others perſons, who are or ſhall bee imployed in the Exciſe, and to cenſure and puniſh them as their fault deſerves. With power alſo to the ſaids Commiſsioners, To grant and direct forth Letters of Horning upon ſo many dayes as they ſhall think expedient, poynding, caption, and all others Letters and Executorials neceſſary and requiſite for the ſpeedy ingathering and uplifting of the ſaid Exciſe; And for fulfilling of all Acts and Ordinances made or to be made thereanent: And alſo for fulfilling of the bands given or to be given by the Collectors and their Cautioners: And for charging of all perſons who are or ſhall bee nominate Collectors, Surveyers, and Commiſſioners of Pariſhes, to accept the Office, finde caution, conforme to the order, and diſcharge their duty therein. And in like manner with power to the ſaids Commiſsioners, To grant ſuſpenſions upon good reaſons of the charges of Horning, to bee uſed for payment of the Exciſe: and to decide and diſcuſſe the ſaids ſuſpenſions, and alſo to diſcuſſe, decide, and determine all Actions, Queſtions, and Controverſies, that may ariſe betwixt party and party, or betwixt any party and the Collectors or Surveyors anent the Exciſe, and to pronounce decreet and ſentence therein, and direct Letters of Horning, Poynding, and others Letters neceſſary and requiſite thereupon. And ſicklike with power to the ſaids Commiſsioners,

or

of any three of them, as ſaid is, To modifie and allow to the Collectors, Surveyers, and others under-Officers, ſuch reaſonable Fees and Allowances for their paines and ſervice, as they, with approbation of the Committee of Eſtates, ſhall think fit. And generally with power to the ſaids Commiſſioners, to doe and performe every thing, concerning the right ordering of the Exciſe, and ſpeedy up-lifting thereof.

And the ſaids Eſtates of Parliament doe hereby ſtatute and ordain, That the Elders of every Pariſh in Landward, and the Magiſtrates of the Royall Burrows, ilke one within their own bounds *reſpectivè*, ſhal nominate and appoint Surveyers, and two honeſt men within ilke Pariſh, and ilke Burgh, who ſhall bee Commiſſioners, to ſubſcribe the Collectors and Surveyers compts, and atteſt the truth thereof, according to their beſt knowledge. And it is declared and ordained, That the Roll to be ſubſcribed by the Collector and Surveyer, and by the Commiſſioners for the Pariſhes, ſhall bee a ground for the charge of Horning, to be given to any perſon for payment of the Exciſe; And alſo ſhall be a ground for the Collectors charge at the making of his Accompts. And if any perſon ſhall finde himſelf hurt by the ſaid Roll, hee ſhall give up a Roll himſelf to the Surveyer and Commiſſioners, of his exciſeable goods and commodities, under the pain of confiſcation of the triple of the value of the goods concealed. And ordains Letters of Horning to be direct by the ſaids Commiſſioners for the Exciſe, to charge the Elders of ilke Pariſh in Landward, and the Magiſtrates of ilke Burgh, to nominate and appoint the ſaids Surveyers and Commiſſioners, and being nominate, to charge the Surveyers and Commiſſioners, to accept the Office in and upon them, give their oath, *De fideli adminiſtratione*, before the ſaids Elders and Magiſtrates *reſpectivè*, and diſcharge their dutie therein, under the paine of Horning: And in caſe of failzie, to denounce, &c.

And the ſaids Eſtates of Parliament do hereby declare, ſtatute, and ordaine, That the generall Letters of Horning, already direct, or to be direct forth by the ſaids Commiſſioners, for payment of the Exciſe, being execute againſt any perſon whatſoever, liable and ſubject in payment of Exciſe, either perſonally, or at his dwelling-place, and denunciation following thereupon for diſobedience of the charge, The ſaid Horning, notwithſtanding of the generality of the Letters, ſhall be als valid, effectuall, and ſufficient, as any other Horning whatſoever.

And ſicklike the ſaids Eſtates of Parliament doe hereby give full power and warrant to the Collectors, to poynd for the double of the Exciſe, if any perſon ſhall refuſe to pay the ſame thankfully before the expiring of the dayes of the charge to bee given for payment thereof: And declares, That it ſhall not be neceſſary to take the goods and geir to be poynded to the Market-croſſe of the head Burgh of the Shire, or other juriſdiction within the which they are poynded, but only to appriſe the ſame upon the ground, which ſhall be ſufficient in this caſe.

And the ſaids Eſtates of Parliament doe hereby declare, ſtatute, and ordaine, That whoſoever ſhall refuſe to pay the Exciſe thankfully and duely in time-coming, ſhall bee lyable and ſubject in payment of all by-gones, ſince the ſaid tenth day of March laſt by-paſt.

And the ſaids Eſtates of Parliament doe hereby command and ordaine all Sheriffes, Stewarts, Baillies, Proveſts and Baillies of Burrowes, Colonels, and Committees of Warre; And all others Judges, Magiſtrates, and Officers whatſoever; And all Maſters and others whom it concernes, To give their beſt concurrence and aſſiſtance to the ſaids Commiſſioners, Collectors, Surveyers, and others Officers of Exciſe, in every thing that may tend to the furtherance of this ſervice, and ſpeedie up-lifting of the ſaid Exciſe, and putting of the Acts and Ordinances, made or to be made thereanent, to due execution, as they and every one of them will be anſwerable to the Eſtates of Parliament and their Committees. And the Eſtates declares this Commiſſion to be ſubordinate to the Committee of the Eſtates of Parliament, and but prejudice to the Clerk of Regiſter of the nomination and placing of the Clerk of this Commiſſion.

ACT XXXVII.

Act renewing the Commiſſion for conſerving of the Peace.

29. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates, in *Anno* 1641. Renewes the Commiſſion granted by his Majeſtie and Eſtates of Parliament in the ſaid laſt Seſſion of the laſt Parliament in *Anno* 1641. For conſerving of the Articles of the Treatie of Peace betwixt the Kingdomes of Scotland and England, To the whole remanent Commiſſioners therein mentioned (except theſe who are not Covenanters) And adds to the former number *John* Earle of Caſſils to be one of the ſaid Commiſſion, with that Power, Priviledge, and Libertie, as if he had been inſert in the ſaid Commiſſion from the beginning; And ordains the ſame Commiſſion to ſtand in full force and ſtrength, conforme to the Tenor thereof, to the whole remanent Commiſſioners therein contained, and to the ſaid Earle of Caſſils now added thereto, except before excepted.

ACT

ACT XXXVIII.

Act in favours of lamed Souldiers.

29. July 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and the three Eſtates, in *Anno* 1641. For encouraging of theſe who has gone out, or ſhall goe out in the Expeditions and Armies levied by the Eſtates for the good Cauſe, and for purſuing of the Enemies thereof, to goe on in that Publick Service; Statutes and Ordaines, That all ſuch Souldiers that has or ſhall willingly go out in the Publick Service foreſaid, and are, or ſhall happen to bee ſo hurt and wounded in the Defence of the Publicke Cauſe, or in purſuing the Enemies thereof, that they are thereby diſabled from their ordinary employments, and working in their ſeverall Callings and Crafts, and has no other meanes of maintenance for themſelves, ſhall bee maintained upon the Publicke charges, in ſuch competent way and manner, as the Eſtates of Parliament, Convention of Eſtates, or their Committees, ſhall thinke fitting, after triall and conſideration of their hurts and wounds, and of the manner of the getting thereof, and of the diſabling of the ſaids Souldiers from the exerciſe of their Crafts and Callings; And for further aſſurance hereanent, The Eſtates of Parliament interpones and gives the Publicke Faith of the Kingdome to the effect above-ſpecified.

ACT

ACT XXXIX.

Act anent the payment and relief of Loan and Taxt.

29. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in *anno* 1641. Conſidering, that the payment of the Loan and Taxt, and other Impoſitions for the publick ſervice, payable out of theſe Lands and Teinds which are diſponed in proper Wodſet by the Heritors thereof to the Receivers of the ſamine Wodſets under reverſion, may be hindered and delayed upon thir doubts and *Queries*, *viz.* Whether the Receivers of the Wodſets ſhould relieve the Heritors of the Loan, Taxt, and other Impoſitions for the publick ſervice, or not; 2. Whether or not the Receivers of the proper Wodſets (having ſet the Lands in tak to ane third perſon as Tennant without conſent or mention of the Heritors, granters of the Wodſet, their names in the taks) the Tennant ought to retain in the firſt end of his duty, the Loan, Taxt, and other charges payed out by the Tennant, for theſe Lands, for Horſe, Foot, and Ammunition, to the uſe of the Publicke: 3. *Quæritur* (the Tennants being obliged in their taks to relieve the Receivers of the proper Wodſets, granters of the ſaids taks, of all Taxations and Impoſitions to be impoſed upon the Wodſet Lands) Whether or not that generall obligement to relieve the Wodſetter of all Taxations and Impoſitions, ought to inferre againſt the Tennants ſo obliged relief to the Wodſetters of the Loan, Taxt, and other publick Impoſitions. The Eſtates of Parliament for clearing hereof findes and declares, That the Receivers of the foreſaids proper Wodſets, who are either actuall poſſeſſors themſelves of the Lands and Teinds wodſet to them, or has ſet the ſamin to Tennants, who poſſeſſes by taks or rights from them, Ought and ſhould relieve the Heritors, granters of the ſaids Wodſets, of all Loans, Taxations, and other Impoſitions for the publick ſervice, except it be otherwayes provided by the contract of Wodſet. And als findes and declares, That the Tennants of theſe proper wodſet Lands ought to have retention of the Loane, Taxt, and other Impoſitions payed out by them for theſe Lands for the uſe of the Publick, in the firſt end of the Duties thereof. And ſiclike the ſaids Eſtates findes and declares, That albeit the Tennants be obliged by their taks to relieve the Receivers of the Wodſets, granters of the ſamin Taks, of all Taxations and Impoſitions to be impoſed upon the ſaids wodſet Lands, yet that generall obligement ſhall not inferre reliefe by the Tennants to the Wodſetters of the payment of the Loan impoſed upon the ſaids Lands for the uſe of the Publick, but onely reliefe of other Impoſitions and Taxations, ſeeing the Loane is to be repayed to the Wodſetter, granter of the taks.

ACT

ACT XL.

Act anent Decreits before Lion King at Armes, and Letters thereupon.

29. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in *Anno* 1641. Conſidering that the Act of Parliament made at Perth in the Moneth of July 1606. *cap.* 10. it was then ſtatute and ordained in all time-coming, That all Decreets given by Sheriffs, Commiſſars, Bailies of Regalities, Bailies of Bailiaries and Stewartries, ſhould paſſe and have execution of Horning upon ten dayes warning, as at more length is contained in the ſaid Act, wherein there was the time of the paſsing thereof omitted, and not expreſſed therein, the Decreets to be given by Lion King at Armes againſt Heralds and Meſſengers, and others his Purſevants; Which being a neceſſary Judicatorie in it ſelfe, and of its owne nature importing ſummer execution, Therefore the ſaids eſtates of this preſent Parliament, conſidering the neceſſitie thereof, Ordains, for the greater furtherance and better execution of juſtice to all his Majeſties Lieges, and eſchewing of the ſuperfluous and unneceſſary charges which they ſuſtained by obtaining Decreits conforme (upon the Decreits obtained before the ſaid Lion King at Armes, againſt Heralds and Meſſengers, and others his Purſevants) That the like Letters and execution of Horning be direct and granted by the Lords of Seſſion upon all Acts, Decreits, and Sentences of the ſaid Lyon King at Armes, againſt Heralds, Meſſengers, and others his Purſevants, as are granted and direct upon Decreits, Acts, and Sentences of the ſaids Sheriffs, Commiſſars, Stewarts, and Bailies, conform to the ſaid Act of Parliament made thereanent, and after the form and tenor of the ſamin in all points.

ACT

ACT XLI.

Act declaring ſummes due by Heritable Bands to be arreſtable where no infeftment hath followed.

29. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſty and three Eſtates, in *Anno* 1641. Being ſenſible of the great charges and expences that juſt and lawfull Creditors are put to in ſeeking payment of their true debts, by compriſing of the ſummes owing to their Debtors by heretable Bands, Contracts, and others Writs, bearing payment of annuall-rent for the ſamine ſummes, which in reſpect of the obligement for annuall-rent are not arreſtable, and thereby the Creditors put to the charges of compriſing thereof, as ſaid is; And herewith alſo being carefull to remeid the ſamine; The ſaids Eſtates findes and declares, That all ſummes of money which are addebted by Bands, Contracts, and other perſonall obligements, whereupon no infeftment has followed or proceeded, are, and ſhall be arreſtable at the inſtance of any Creditor of that perſon or perſons to whom the ſamine ſummes are addebted or due to be payed, and that thereupon the ſamin ſummes ſo arreſted may bee purſued and ſought to be made forth-command to the Creditors arreſters thereof, for payment of their juſt debts, conforme to their ſeverall rights, arreſtments, and diligences to be uſed thereupon; Notwithſtanding that the Bands, contracts, and other obligements whereby the ſaids arreſted ſums are addebted and due, bear payment of annuall-rent for the ſamine ſums, as ſaid is. And the Eſtates declares, That this is onely to be extended in favours of the juſt and lawfull creditors of the perſons to whom the ſaids ſums are addebted, for the more ſummar and better payment of the ſaids creditors their lawfull debts, and no wayes to change the nature of the ſaids ſums, nor to prejudge the heir nor any other perſon their rights to the ſamine ſums, as being heretable; Which are hereby declared to remain in their own nature and condition unchanged hereby *pro ut de jure*; except that onely the ſamine are arreſtable at the inſtance of lawfull creditors, in manner and to the effect above ſpecified, and no other wayes.

ACT

ACT XLII.

Act Salvo jure cujuſlibet.

29. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament, holden by his Majeſtie and three Eſtates, in *Anno* 1641. Conſidering that in this preſent Seſſion of Parliament there are many particular Acts, and Acts of Ratification made in favours of particular perſons, which may be prejudiciall to the parties having intereſt, and not heard, albeit the meaning of the Eſtates be at this time as it was ever in all preceding Parliaments, that by no particular Act, or Act of Ratification granted to any particular perſon, any other parties ſhould be hurt or prejudged of their lawfull rights and defences competent to them of the Law; For remeid whereof, It is ſtatute and ordained, That no Ratification, nor other particular Act whatſoever, made in favours of any particular perſon in this preſent Seſſion of Parliament, be prejudiciall to any other parties rights or defences, competent to them of the law, but that the ſaids particular Acts, and Acts of Ratification made in favours of particular perſons, be alwayes underſtood *Salvo jure cujuſlibet.*

ACT XLIII.

Act continuing the Parliament to the firſt Tueſday of January next 1645. years, and declaring the Parliament current to that day.

29. *July* 1644.

THe Eſtates of Parliament preſently conveened, by vertue of the laſt Act of the laſt Parliament holden by his Majeſtie and three Eſtates in *Anno* 1641. Continues this preſent Parliament, and all Summonds, Proces, Matters, and Actions belonging thereto, while the firſt Tueſday of January next to come, at the which day, or ſooner, as the Committee of Eſtates or *Quorum* thereof ſhall appoint, Ordaines the whole Eſtates to be preſent, and to attend at Edinburgh, or where it ſhall happen the ſamin to be holden for the time. And in the meane time the Eſtates

declares this preſent Parliament current to the day foreſaid, And ordains the whole Acts and Statutes made and concluded in this Seſſion of Parliament to ſtand and have the force and ſtrength of Lawes and Acts of Parliament, conforme to the tenors thereof, ſiclike as any Acts and Statutes of any preceding Parliaments in any time by-gone. And als the ſaids Eſtates of Parliament ordaines the Lords of Seſſion and whole members thereof, to conveen and ſit for adminiſtration of juſtice, at the ordinary Times and Dyets appointed, notwithſtanding of the ſitting of the Parliament within any of the times appointed for ſitting of the Seſſion, whereanent the ſaids Eſtates by thir preſents diſpences. And the Eſtates ordaines the Clerks of Seſſion to give out Continuations to the Lieges upon all ſuch Summonds, whereof the dayes of Compeirance are by-paſt, within the times appointed for ſitting of the Seſſion, albeit the Seſſion doe not ſit, ſicklike and in the ſamine manner as if the Seſſion were ſitting; And ordaines publick proclamation to be made hereof at the Market Croſſe of Edinburgh by ſound of Trumpet.

Collected, Viſied, and Extracted forth of the Bookes and Regiſter of the Acts of Parliament by me Sir Alexander Gibſone *of Durie Knight, Clerk of his Majeſties Councell, Regiſter, and Rolls, Under my Signe and Subſcription Manuall.*

Alex. Gibſone Cler. Regiſtri.

THE

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14. June.

2 *Act anent the Run awayes and Fugitives from the Army.* 2

25. June.

3 *Act anent the putting forth of Horse and Foot for by-gones, and in time-coming, and anent these who are deficient thereintill.* 5

29. June.

4 *Act against these who takes up Arms, and holds Houses against the Kingdome and Estates of the Countrey.* 6

15. July.

5 *Act ratifying the calling of the late Convention of Estates, Acts flowing therefrom, and from the Committee of Estates, with the mutuall League and Covenant.* 7

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6 *Commission for these that goes to England concerning the Propositions of the Articles for a Treaty of Peace.* 26

18. July.

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8 *Act in favours of the free royall Burrows anent their relief and payment of the summes advanced by them to the Factors in Campheir, for the Arms and Ammunition sent to this Countrey in the late troubles.* 30

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7. *June* 1644.

ACT of approbation and exoneration to the Lord Balmerino, anent his charge of being President in the late Parliament.

Act anent the initiall words to bee prefixed to every Act done in this Session of Parliament.

11. *June.*

Commission to the Earle of Calender, to be Lieutenant Generall.

Act of approbation and exoneration, to Sir *William Scot* of Harden, and Sir *Thomas Ker* of Cavers.

Act continuing the sitting of the Session to the first of November 1644.

12. *June.*

Act of approbation and exoneration, in favours of the Marqueſſe of Argyle.

Act in favours of the Earle of Roxburgh.

13. *June.*

Act of approbation and exoneration to the Lord Burghly, and remanent of the Committee at Aberdene.

Ordinance in favours of the Lord Scottistarbet, anent the Regent of humanity in Saint *Leonards* Colledge.

14. *June.*

Ratification in favours of the Lord Scottistarbet, anent the Regent of humanity in Saint *Leonards* Colledge.

18. *June.*

Act in favours of the Town of Edinburgh, discharging the Market at Brighouse-Know.

19. *June.*

Commission for these that goes along as a Committee, with the Earle of Calenders Armie.

Act of approbation and exoneration to Captain *Wallace.*

21. *June.*

Commission to Sir *James Ramsay* to be Generall Major to the Horse, with the Declaration and Instruction thereintill.

Act and Commission Earle of Cassils *contra* Sheriff of Galloway.

Ordinance in favours of the Ministers that hes beene plundered, and wants their by-gane stipends.

28. *June.*

Results of the Parliament upon the Propositions of the Articles for a Treaty of Peace.

10. *July*

10. *July.*

Act anent the putting of ane Gariſon in the caſtle of Stirling.
Act in favours of *Tho. Cunninghame*, anent the place of Conſervatorie.
Act againſt theſe that took the Magiſtrates of Aberdene.

13. *July.*

Act of approbation and exoneration to the Earle of Calender, Lord Lieutenant Generall, and to the Committee that went with him.

16. *July.*

Decreet of forfeiture againſt the Laird of Haddo, and ordaining his Lands, Goods, and Eſtate, to be applyed for the uſe of the Publick.
Decreet of forfeiture againſt *John Logie.*
Commiſsion to the Marqueſſe of Argyle.
Diſcharge by the Parliament of Scotland to the Parliament of England of 30000. pounds ſterling.

22. *July.*

Act in favours of the Earle of Lanerk againſt Sir *James Galloway*, and Sir *Robert Spottiſwode.*
Act in favours of the old Colledge of Saint *Andrews*, for ane Regent of humanity.

23. *July.*

Reference to the Committee of Eſtates, anent the rents of excommunicate perſons.
Reference to the Committee of Eſtates, concerning allowance to Miniſters ſent to the Armies in England, and for their out-reiking thereto.
Ratification of the gift of 500. pounds ſterling to the Kirk.
Act and Reference in favours of the Juſtice Deputes.
Commiſsion for viſitation of the Univerſitie of Saint *Andrews.*
Reference anent ane conſtant courſe for apprehending and tryall of Witches.

24. *July.*

Act in favours of *William Thomſon* Commiſſar Depute, granting approbation and exoneration of his compts.

25. *July.*

Commiſsion to the Lord Kircudbright, anent the Stuartrie thereof.

26. *July.*

Decreet of forfeiture againſt the Earles of Crawfurd, and Forth, and Lord Ythan.
Ratification in favours of the Earle of Lindſay, anent his right and Patent of Earle of Crawfurd.

27. *July.*

Two Ratifications in favours of the Earle of Morton.
Declaration in favours of the Town of Edinburgh thereanent.
Ratification in favours of the Laird of Panmure.
Act in favours of the Lord Balmerino.
Act of exonoration and approbation to the Committee, appointed for trying of the Incendiaries and Plotters, and to the Kings Advocate, Proctors of Eſtate, and Clerk of that Committee.
Act in favours of the free royall Burrows, anent their ſea loſſes.
Act of approbation and exoneration to the Committee, appointed for reviſing

revising of the Registers, with ane warrant for delivery of the keys of the Charter-house in the castle, To the Clerk Register.

29. *July.*

Reference to the Committee of Estates anent the Act of Parliament for putting of the Countrey in ane posture of Warre.
Ratification in favours of *Thomas Cunninghame* of his Commissions.
Commission for the Exchequer.
Reference to the Committee of Estates for nomination of ane delegate Committee for the Processes.
Commission for trying of the L. of Geicht, Maynes, and Torrarie.
Approbation to the Procurators and Agent for the State.
Decreet of forfeiture against *William Maxwell* of Midkeltoun.
Commission of justiciary in favors of the Earl of Morton for Zetland.
Act in favours of the Inhabitants in Caithnes.
Ratification in favours of Doctour *Colvill.*
Ratification in favours of the Lord *Melvill.*
Protestation for the Fewars of Lethem there-against.
Ratification in favours of the Laird of Craigmillar.
Ratification in favors of *John* Earl of Lindsay, now Earl of Crawfurd.
Ratification to *John Campbel* of Ardchattan.
Ratification to the Earle of Calendar.
Ratification of Generall Major Bailies Pension.
Ratification to the Kings Printer.
Two Ratifications to the Town of Edinburgh, with their Declaration in favours of the Earle of Morton thereanent.
Protestation *James Gibson* against the Town of Edinburghs Ratification of the Bishoprick of Orkney.
Ratification in favours of the Town of Kirkaldie.
Ratification to the Earle of Rothes of his Pension.
Ratification to Colonel *Alex. Hammiltoun*, Generall of the Artillery.
Ratification in favours of *George Strang.*
Ratification in favours of the Lord Thesaurer Depute.
Ratification in favours of *James Levingstoun.*
Ratification to Sir *John Ruthven.*
Ratification to the Earle of Hume.
Ratification to the L. of Glennegies.
Ratification to Sir *James Hope.*
Ratification to Sir *John Douglas.*
Ratification to the Marques of Argyle.
Ratification to the Lord Chancellour.
Ratification to the Lord Levingstoun.
Ratification to Sir *Archbald Johnstoun.*
Ratification to Sir *Archbald Campbel.*
Ratification to *Bryce Semple* of Cathcart.
Ratification to *Alex. Maxwell* Maister.
Ratification to the Lord Yester.
Ratification to the Lord Elibank.
Ratification to Master *Roger Mowat* Advocate.

FINIS.